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September 9, 2008

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MEETING MINUTES

Tuesday, September 9, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.
There was a quorum present.
Supervisors Alioto-Pier and McGoldrick were noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of July 29, 2008 and August 5, 2008. The motion carried by the following vote:

3 1223 08678 5962

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080656 **[Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and After School Snack Program - 2008 -** **Supervisor Maxwell**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of $950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor

the 2008 Mayor's Summer Food Program and the After School Snack Program.

Enacted Number: 208-08

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

080856 [Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]

Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance. (Public Works Department)

Enacted 207-08

Number:
FINALLY PASSED

080857 **[Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]**

Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance. (Public Works Department)

Enacted 206-08
Number:
FINALLY PASSED

Recommendations of the Rules

Committee

080886 **[Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]** **Mayor**

Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.

Enacted Number: 209-08
FINALLY PASSED

080019 **[Implementing the Controller's Whistleblower Program]** **Supervisors Mirkarimi, Dufty**

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with,

whistleblower investigations conducted by the Controller or any other officer or department. (Controller)

Enacted Number: 205-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

080564 [Establishing a Reentry Council] Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

081146 [Findings - Disapproval of the Tentative Map for 1345 Fillmore Street]

Motion adopting findings concerning the disapproval of a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

Enacted Number: M08-142

APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081147 **[Findings - Disapproval of the Tentative Map for 1420 Turk Street and 1535 Eddy Street]**

Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

Enacted M08-141
Number:

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081148 **[Findings - Approval of the Tentative Parcel Map for 628-632 Steiner Street]**

Motion adopting findings concerning the approval with conditions of a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Enacted M08-140
Number:

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

080686 **[Landmark tree designation of Monterey Cypress at 2626 Vallejo Street]** **Supervisor Alioto-Pier**

Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080687 **[Landmark designation of Manzanita at 115 Parker Avenue]** **Supervisor Alioto-Pier**

Ordinance designating the Manzanita at 115 Parker Avenue (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080935 **[Urging SFUSD to reconsider current school assignment system]** **Supervisors Chu, Alioto-Pier**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be REFERRED to the City and School District Select Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 4 - Alioto-Pier, Chu, Elsbernd, Sandoval

Recommendations of the Government Audit and Oversight Committee

080233 **[Urban Forestry Council - Membership]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to eleven members.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081014 [In-Home Supportive Services - Supervisor Public Authority] Peskin

Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Supervisor Alioto-Pier Was Excused from Voting

Supervisor Dufty, seconded by Supervisor Chu, moved to excuse Supervisor Alioto-Pier, at her request, because of a possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

081056 **[Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart - Not to exceed $35,000,000]** **Supervisor Dufty**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code and requirements of Section 91530(f) of the Government Code the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $35,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart - San Francisco.

Enacted Number: 386-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

Supervisors Daly and Dufty Were Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to excuse Supervisors Daly and Dufty, at their request, because of a possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

080235 **[First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and

permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]** **Supervisors Mirkarimi, Dufty, Maxwell**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing

funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

Continued to September 23, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

080818 **[Recreation and Park - San Francisco Zoo Policies and Oversight]** **Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.

(Supervisor Dufty dissented in committee.)

Continued to September 16, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Called from the City Operations and Neighborhood Services Committee

080438 **[Prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums]** — **Supervisor Daly**

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants,

8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Daly, moved to continue this matter to September 16, 2008. Motion to continue this matter to September 16, 2008 failed by the following vote:
Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier welcomed, introduced and presented Certificates of Honor to Sergeant Dan Linehan and Officer Ricky Terrell, from Northern Station, in recognition of their retirement from the San Francisco Police Department.

SPECIAL ORDER 4:00 P.M.

081133 [Public Hearing - Appeal of Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project]

Hearing of persons interested in or objecting to the Planning Commission's August 7, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2004.0160E, through its Motion No. 17659, for a proposed Eastern Neighborhoods Rezoning and Area Plans project, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, and adoption of interim historic preservation procedures. The Plan Area generally includes the eastern portion of the South of Market Area ("East SOMA"), The Mission, Showplace Square/Potrero Hill, and the Central Waterfront Neighborhoods of San Francisco and making other related findings. (Appellants: Chris Durazo, Filed 8/8/08; and Gary Noguera, Filed 8/27/08)

(Filed 8/8/08 and 8/27/08; companion measure to Files 081134, 081135, 081136.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Hearing be CONTINUED. The motion carried by the

following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081134 [Affirming certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)
Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty,

Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081135 [Disapproving certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081136 [Preparation of findings to disapprove certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans FEIR. (Clerk of the Board)

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be

CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared with the Board certain SF memorabilia
Richard McRee; expressed concern with issues relating to his patent for the design of Sigmund Stern Grove
Female speaker; expressed concern with issues relating to the Housing Authority
Pebbles Stoned; expressed concern with issues relating to medical marijuana
Commander of the Highway Patrol; shared with the Board the duties of the California Highway Patrol
Male speaker; expressed concern with issues relating to violence in SF
Ace Washington; expressed concern with issues relating to Channel 29
Male speaker; expressed concern with issues relating to violence

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081129 [90 day extension for Planning Commission review - Mission/Bernal Formula Retail Restricted Use Subdistrict] **Supervisor Ammiano**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 384-08

ADOPTED

081130 [Accept-Expend Federal/State Pass Through Grant - $11,828] **Supervisors Chu, Dufty**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $11,828 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Enacted Number: 383-08
ADOPTED

081131 **[Commending Breakthrough Collaborative]** **Supervisor Daly**

Resolution commending Breakthrough Collaborative for their work to increase educational opportunities for high-potential, disadvantaged middle school students and inspired gifted college and high school students to pursue careers in education.

Enacted Number: 382-08
ADOPTED

081132 **[Accept-Expend State grants for food and agricultural projects - $6,808.90]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling $6,808.90, two from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2008 through June 30, 2009.

Enacted Number: 381-08
ADOPTED

081126 [Final Map - 146-148 South Van Ness Avenue]

Motion approving Final Map 2781, a 2 Lot Airspace Project, located at 146 - 148 South Van Ness Avenue being a subdivision of Lot 046 in Assessors Block No. 3514 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,718; District 6.)

Enacted M08-139
Number:

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act

Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the purely Commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081178 [Declaring September 2008 as Supervisor

Reentry Month] **Mirkarimi**

Resolution Declaring the Month of September 2008 as Reentry Month in the City and County of San Francisco.

Enacted Number: 385-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071649 [Zoning - Entertainment Uses] **Supervisor Peskin**

Ordinance amending Sections Tables 810, 811 and 812 102.17, 790.38, and Section 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size and other factors; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1 and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use;

adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/4/2008.

12/12/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.
3/11/08, Board adopted 30-day extension for Planning Commission review; see File 080330.

12/14/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Entertainment Commission.

1/11/08, RESPONSE RECEIVED. Planning Department non-physical exemption.

4/28/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17580 with recommendation to adopt with modifications.

9/9/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

9/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2008.

081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board] — **Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by amending sections

16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding section 3.1-268, to allow for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.
9/9/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/9/2008.

081193 **[Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]** — **Supervisor McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.
9/9/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/9/2008.

081196 **[Appropriating $40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year** — **Supervisors Peskin, Elsbernd, Chu**

2008-2009]

Ordinance appropriating $40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including $36,875,562 in the Recreation and Park Department and $3,644,438 in the Port Commission for Fiscal Year 2008-2009. (Fiscal Impact.)

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081197 [Transfer of Real Property - 575 Polk Street] **Mayor**

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to $323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 9/17/08 - Referred to Planning for determination of environmental impact. 09/23/08 - Response Received, Non-physical exemption per section 15060(c)(2) of the CEAQ guidelines.

081198 [Transfer of Real Property - 400 McAllister Street] **Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the

agreement to make ongoing payments of fixed court facility payments equal to $955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 9/17/08 - Referred to Planning for determination of environmental impact.
09/23/08 - Response Received, Non-physical exemption per section 15060(c)(2) of the CEQA guidelines.

081199 [Medical Cannabis Act Revisions] **Mayor**

Ordinance approving amendments to the Medical Cannabis Act to clarify that a medical cannabis dispensary shall be a cooperative or collective and shall operate as a non-profit.
9/9/08, RECEIVED AND ASSIGNED to Rules Committee.

081200 [Appropriating $51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09] **Mayor**

Ordinance appropriating $25,611,567 of Tobacco Settlement Revenues and $25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the

Department of Public Works for Fiscal Year 2008-2009.
(Fiscal Impact.)
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081203 [Appropriating $13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009] **Supervisors Elsbernd, Chu**

Ordinance appropriating $11,756,665 of FY 2008-09 Proposition 42 State Funds and $1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

081178 [Declaring September 2008 as Reentry Month] **Supervisor Mirkarimi**

Resolution Declaring the Month of September 2008 as Reentry Month in the City and County of San Francisco.
9/9/08, ADOPTED.

081184 **[Urging the State of California to amend the Vehicle Code regarding disabled parking placards]** **Supervisor Alioto-Pier**

Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.
8/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081185 **[Renewing commitment against litter in San Francisco]** **Supervisor Alioto-Pier**

Resolution urging the Department of Public Works to evaluate current street conditions and investigate why, with all the ordinances that prohibit litter and reward whistleblowers, with all the trash receptacles available, and with all the previous "Clean Streets" campaigns, the streets of San Francisco are still filthy in many areas throughout our City.
9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081186 **[Accept-Expend Regional** **Supervisor**

Grant, Airport Commission - $1,399,709.57] **Alioto-Pier**

Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling $1,399,709.57 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles and emissions control equipment by Airport transportation operators.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081187 **[Accept-Expend Federal grant for emergency planning - $175,783]** **Supervisor Alioto-Pier**

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of $175,783 from the Federal Emergency Management Agency (FEMA), through the California Governor's Office of Emergency Services (State OES), for emergency planning for at-risk and vulnerable populations, for the period of July 1, 2008 through June 30, 2009.

9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081188 **[Approval of Port Lease for Portco, Inc. at 360 Jefferson Street, Fisherman's Wharf]** **Mayor**

Resolution approving Port Commission Lease No. L-14564 with Portco, Inc, for a ten (10) year term and one five (5) year extension option for certain

real property located at 360 Jefferson in the Fisherman's Wharf area of the City and County of San Francisco.
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081189 [Accept and Expend grant - to support the STD Surveillance Network - $225,000] **Supervisor Dufty**
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Centers for Disease Control and Prevention (CDCP), in the amount of $225,000, to support the STD Surveillance Network; for the period of September 30, 2008 through September 29, 2009.
9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3] **Supervisors Maxwell, Dufty, Peskin, Daly**
Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.
9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081192 [Accept-Expend Federal Grant - **Supervisor**

$2,280,000] **Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081194 **[Supporting Goals for Federal Funding-Community Development Block Grant]** **Supervisor McGoldrick**

Resolution supporting Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Action Plan Goals.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081201 **[Contract between the Department of Public Health and SF Community Health Authority to provide universal health insurance services for SF children and young adults - $19,486,273]** **Mayor**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to enter into a contract amendment between the City and County of San

Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 18 and young parents aged 19 through 24 for the new period of July 1, 2007 through June 30, 2009 in the amount of $19,486,273.
(Fiscal Impact.)
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081202 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space] **Supervisor Daly**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.
9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081206 [90 day extension for Planning Commission review - The Metro Alioto-Pier Theatre] **Supervisor**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081207 **[Accept and Expend State Grant - Funding two Environmental Health programs - $8,250]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant in the amount of $8,250 from the California Department of Food and Agriculture (CDFA) funding two programs, the Petroleum Products Compliance program and the Weighmaster Enforcement Program; for the period of July 1, 2008 through June 30, 2009.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081208 **[Sea Otter Awareness Week - September 21-27, 2008]** **Supervisor Peskin**

Resolution declaring September 21-27, 2008 Sea Otter Awareness Week in San Francisco.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081209 [Accept and Expend State Grant - To support pest exclusion activities - $47,731.06] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $47,731.06 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2008 through June 30, 2009.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081210 [Grant to fund a study through the HIV Prevention Section, Department of Public Health - $13,242] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $13,242 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM;" for the period of

August 1, 2008 through July 31, 2009.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081211 **[Grant funds to support worker health and safety - $7,580]** **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,580 from the University of California, Berkeley for year two of a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2008 through August 31, 2009.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081212 **[Extended Producer Responsibility Framework]** **Supervisor McGoldrick**

Resolution urging the California State Legislature to enact legislation based on the Extended Producer Responsibility Framework policy adopted by the California Integrated Waste Management Board that will shift costs and responsibilities for waste management from local governments to the producers of products and incentivize product redesign.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081213 **[Celebrating the success of the Outside Lands Music and Arts Festival]** **Supervisor Mirkarimi**

Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081214 **[Health plans that provide health insurance coverage to San Francisco employees to provide comprehensive smoking cessation benefits]** **Supervisor Daly**

Resolution urging all health plans that provide health insurance coverage to employees in the City and County of San Francisco to offer comprehensive smoking cessation benefits.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081004 **[Interim Controls On Major** **Supervisor**

Rights of Way Along and Near the Southern 19th Avenue Corridor] Elsbernd

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/22/08, ASSIGNED to Land Use and Economic Development Committee.

7/22/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

7/24/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment and Planning Department for environmental review.

9/4/08, RESPONSE RECEIVED. Planning Department - Not a project per Section 15378 of the CEQA Guidelines.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

081005 [19th Avenue Cumulative Impact Study] **Supervisors Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

(9/09/08 - Supervisor Elsbernd submitted a substitute resolution bearing same title.)

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

Requests for Hearing

081179 **[Report of the Blue Ribbon Panel on the Future of St. Luke's Hospital]** **Supervisors Alioto-Pier, Ammiano**

Hearing on the report of the Blue Ribbon Panel on the Future of St. Luke's Hospital.

9/9/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081180 **[Violence in the Mission]** **Supervisor Ammiano**

Hearing to get an update from relevant city departments on the progress being made or lack thereof in our efforts to address the epidemic of violence in the Mission.

9/9/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081182 **[Procedure in place to track leases and/or permits between the City and County of San Francisco and third parties for use of city property]** **Supervisor McGoldrick**

Hearing on the procedure in place to track leases and/or permits between the City and County of San Francisco and third parties for use of city property, and to explore best practices for tracking permits, payments, negotiations and other pertinent details. This would include not only covering the responsibilities of the Department of Real Estate,

but also the actions of Enterprise Departments who enter into such agreements independently of the City, and the subsequent centralized reporting requirements of the Enterprise Departments.
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081183 **[Long-term care in the City and County of San Francisco]** **Supervisor Peskin**

Hearing to investigate the state of long-term care in the City and County of San Francisco, with a dedicated presentation from the Long Term Care Coordinating Council, and discussion of the allocation of the City's resources, including the operational savings produced by the down-sizing of Laguna Honda Hospital.
9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

081195 **[Directing the Budget Analyst to evaluate capital projects]** **Supervisor McGoldrick**

Motion directing the Budget Analyst to conduct an evaluation of capital projects in San Francisco, specifically focusing on fiscal and timing issues, including identification of unencumbered or unexpended funds, over expenditures of funds, including an analysis of change orders, required extensions of projects and other related issues.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

081152 **[Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]**

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department) 8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081153 **[Planning Code amendments for the Eastern Neighborhoods Area Plans]**

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.

081154 **[Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]**

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central

Waterfront Area Plans; and creating three special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Ilinois Street to the West, Iowa Street to the East, and 23rd Street to the South, for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South, for 16th Street Retail Special Use District bounded generally by Capp Street to the East, San Bruno Avenue to the West, 15th Sreet to the North and 17th Street to the South; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department) 8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081155 [Eastern Neighborhoods Area Plans - monitoring program]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements; and adopting environmental findings. (Planning Department) 8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081160 [Appropriating $86,367,000 of

Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]

Ordinance appropriating $86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the sale of bonds, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor) (Fiscal Impact.)

8/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081161 [Mission Bay North-Acceptance of Land and Improvements for Block N2]

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition

facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)
8/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

081109 [Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy. (Public Utilities Commission)
(Fiscal Impact.)
8/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081110 [Authorizing the Sheriff's Department to amend its contract with ARAMARK

Correctional Services, LLC, for Jail Food Services]

Resolution authorizing the Sheriff's Department to enter into a second amendment to the agreement between the City and County and ARAMARK Correctional Services, LLC, to increase the contract amount from $15.2 million to an amount not to exceed $27.0 million and to extend the contract term to June 30, 2010. (Sheriff)
(Fiscal Impact.)
8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081111 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application - $36,118,233] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of $36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through February 28, 2010. (Public Health Department)
8/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Dufty requested to be added as a sponsor.

081141 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

8/6/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

8/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081151 [Easement Deed and findings related to the SFPUC's New Crystal Springs Bypass Tunnel water infrastructure project]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Crystal Springs Bypass Tunnel Project; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and authorizing and approving the execution, delivery and acceptance of an Easement Deed from the County of San Mateo granting to City certain easement rights in real property located beneath and adjacent to portions of Polhemus Road in San Mateo County. (Public Utilities Commission) (Fiscal Impact.)

8/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing

graffiti from the following locations:
Phone Switch Boxes
Southwest corner Fell near Divisadero
Southeast corner of Broderick and McAllister
Northeast corner of Oak and Broderick
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:
Potholes
Sinkhole on Waller and Fillmore (on the Westside of Waller Street near crosswalk) This has been fix two times and the problem is getting worse
484 Waller
Garbage Cans
Northeast corner Grove Buchanan
Northeast corner Scott and Waller
Northeast corner of Haight and Fillmore
Northeast corner of Haight and Buchanan
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
495 Scott
295 Buchanan
1213 Fell
1116 Fell
1052 Fell
51 Laguna (Haight Street side)
485 Scott

421 Scott
227 Buchanan
445 Haight
563 Haight
501 Haight
1108 Haight
1419 Fulton
841 Scott
630 Haight
999 Oak
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:
Wood
Southeast corner Grove and Laguna
1305 Fulton
Metal Pole
Northeast corner Divisadero and Hayes
Southeast corner McAllister and Pierce
Northeast corner

In Memoriams

Matt Garcia - Entire Board
Joshua Cameron - Supervisor Mirkarimi
Samuel Mitchell - Supervisor Ammiano
Jorge Hurtado - Supervisor Ammiano
Marcelino Canul-Castro - Supervisor Ammiano
Mark Guardado - Supervisor Ammiano

Giovanni Lechado - Supervisor Ammiano
Noel Espinoza - Supervisor Ammiano
Matthew Solomon - Supervisor Ammiano
Nora K. Leishman - Supervisor Elsbernd
Jayne S. Veld - Supervisor Alioto-Pier
B.J. Papa - Supervisor Peskin
John K. "Jack" Smith - Supervisor Peskin
James Lam - Supervisor Peskin
Reuben Medina - Supervisor Peskin
Angela La Ferrera Olson - Supervisor Sandoval
Willa Dellums - Supervisor Dufty
Craig Alan Belluomini - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:04 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on October 21, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances

and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

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September 16, 2008

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MEETING MINUTES

Tuesday, September 16, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor McGoldrick was noted absent.
There was a quorum present.
Supervisor McGoldrick was noted present at 2:05 p.m.

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

080233 [Urban Forestry Council - Supervisor

Membership] **McGoldrick**

Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to eleven members.

Enacted Number: 210-08

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080686 [Landmark tree designation of Monterey Cypress at 2626 Vallejo Street] **Supervisor Alioto-Pier**

Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 211-08

FINALLY PASSED

080687 [Landmark designation of Manzanita at 115 Parker Avenue] **Supervisor Alioto-Pier**

Ordinance designating the Manzanita at 115 Parker Avenue (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

Enacted Number: 212-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

081014 [In-Home Supportive Services - Supervisor Public Authority] **Peskin**

Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services

Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.

Enacted Number: 213-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

080235 [First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.

Supervisors Daly and Dufty were previously excused from voting on this matter.

Enacted 214-08

Number:

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, Dufty

Recommendation of the Rules Committee

080564 **[Establishing a Reentry Council]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

Enacted 215-08

Number:

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

080818 **[Recreation and Park - San Francisco Zoo Policies and** **Supervisor Daly**

Oversight]

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met. (Supervisor Dufty dissented in committee.)

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NOT PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 4 - Ammiano, Daly, Mirkarimi, Sandoval
Noes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081096 **[Setting San Francisco's fiscal year 2008-2009 property tax rate and establishing pass-through rate for residential tenants]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2009.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081097 **[Setting San Francisco Community College District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Community College District purposes for the fiscal year ending June 30, 2009.

PASSED ON FIRST READING by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081098 **[Setting San Francisco Unified School District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Unified School District purposes for the fiscal year ending June 30, 2009.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081099 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2009.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081057 **[Appropriating $110,632 of Community Improvement Impact Fee revenue for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009]** **Supervisor Maxwell**

Ordinance appropriating $110,632 of Community Impact Fee revenue from the Visitacion Valley Infrastructure Fund for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080948 **[Amendment to Real Property Ownership Agreement]** **Supervisor Elsbernd**

Resolution approving an amendment to the Real Property Ownership Agreement between the Peninsula Corridor Joint Powers Board, San Mateo County Transit District, the City and County of San Francisco and the Santa Clara Valley Transportation Authority to fully resolve all outstanding financial issues related to repayment of SamTrans for its

additional contribution for the acquisition of the Caltrain right-of-way, and to designate SamTrans as the managing agency of the Joint Powers Board. (Fiscal Impact.)

Enacted 389-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081077 **[Approval of Mental Health Services Act (MHSA) FY08-09 Annual Community Services and Supports Plan Update]**

Resolution authorizing adoption of the Mental Health Services Act Fiscal Year 2008-2009 Annual Community Services and Supports (CSS) Plan Update and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement and authorizing the Department of Public Health to accept and expend the additional State MHSA funds totaling $1,766,236. (Public Health Department)

Enacted 391-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081090 **[Issuance and Sale of Tax-Exempt Bonds - Pacific Primary - $6,000,000]** **Supervisor Mirkarimi**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $6,000,000 to finance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof.

Enacted Number: 387-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081128 **[FY 2008-2009 California Constitution Appropriations Limit]** **Supervisor Peskin**

Resolution establishing the appropriations limit for Fiscal Year 2008-09 pursuant to California Constitution Article XIII B.

Enacted Number: 392-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee

Without Recommendation

081019 **[Public Employment - Deputy Chief 3 - Police Department]** **Supervisor Dufty**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of 2 positions (1.50 FTE) Class 0402 - Deputy Chief 3 in the Police Department. (Supervisor McGoldrick dissented in committee.) (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

SPECIAL ORDER 3:00 P.M.

080913 **[Hearing - Broadway Entertainment Corridor Community Benefit District]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified,

and making environmental findings.
The President inquired as to whether or any member of the public wished to address the Board.
Janette Biagini-Barroca; opposed to the Broadway Entertainment Community Benefit District
Patrick, Broadway Studios; opposed to the Broadway Entertainment Community Benefit District
Calvin Louie; opposed to the Broadway Entertainment Community Benefit District
Oliver Mar; opposed to the Broadway Entertainment Community Benefit District
Fred Martinez; opposed to the Broadway Entertainment Community Benefit District
Franchesca Valdez; opposed to the Broadway Entertainment Community Benefit District
Male speaker; opposed to the Broadway Entertainment Community Benefit District
The President declared the public hearing closed.
Heard at public hearing.
FILED.

080914 **[Establishing the Broadway Entertainment Corridor Community Benefit District]** **Supervisor Peskin**

Resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year

2008-2009, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Broadway Entertainment Corridor Community Benefit District.

Voting For - 47.58%

Voting Against - 52.42%

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Peskin, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin introdced, welcomed and presented

a Certificate of Honor Dawn Trennert in recognition of the founder of the Middle Polk Neighborhood Association.

SPECIAL ORDER 4:00 P.M.

081137 [Public Hearing - Appeal of Final Supplemental Environmental Impact Report for Central Subway Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 7, 2008 certification of a Final Supplemental Environmental Impact Report identified as Planning File No. 1996.281E, through its Motion No. M-17668, for the proposed Central Subway Project, located along and under Fourth Street and under Stockton Street in the Downtown, Chinatown and North Beach Areas with a surface station at Fourth/Brannan and underground stations at Moscone, Union Square/Market Street and Chinatown and construction tunnel under Columbus Avenue to Washington Square. (Appellants: John Elberling filed on August 20, 2008; Gerald Cauthen and Howard Wong filed on August 27, 2008; and James W. Andrew filed on August 27, 2008.)

(Filed - August 20, 2008 and August 27, 2008; companion measure to Files 081138, 081139, 081140.)

The President inquired as to whether any member of the public wished to address the Board members.
Gerald Cauthen; Appellant
Howard Strassner; support of the appellant
Howard Wong; Appellant
Norman Rolfe; support of the appellant
Lee Goodin; support of the appellant
Bernard Choden; support of the appellant
Joan Wood; support of the appellant
Herb Kosivitz; support of the appellant
David Schonbrunn; support of the appellant
Zach Stuart; support of the appellant
Earl Tribodeau; support of the appellant
Eric Chase; support of the appellant
David Pilpel; support of the appellant
Bill Wycko and Joan Krugler, representatives from the Planning Department, reviewed with the Board the Planning Department's recommendation.
John Funghi, representative of the Municipal Transportation Agency, reviewed with the Board members the MTA's recommendation.
David Chiu; support of the project sponsor
Jeremy Till; support of the project sponsor
Michael Kwok; support of the project sponsor
Krishra Ramanujam; support of the project sponsor
David Vasquez; support of the project sponsor
Male speaker; support of the project sponsor
Jackie Sachs; support of the project sponsor
Emilio Cruz, SPUR; support of the project sponsor
Male speaker; support of the project sponsor
Rebuttal Period
Gerald Cauthen, Appellant

The President declared the public hearing closed. Heard at public hearing.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Supplemental Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

Supervisor Sandoval was noted absent at 5:22 p.m.

081138 [Affirming certification of Central Subway Project Final Supplemental EIR]

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

Enacted Number: M08-145

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be

APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

081139 [Disapproving certification of Central Subway Project Final Supplemental EIR]

Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for Central Subway Project.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

081140 [Preparation of findings to disapprove certification of Central Subway Project Final Supplemental EIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED.

The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Pie; expressed concern with issues relating to violence and abuse to children
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; expressed concern with issues relating time?
Mike Annuzio; expressed concern with issues relating to the senior population in San Francisco
Ricardo Lopez; expressed concern with issues relating to the economy and requested the Board to pass a resolution supporting a federal bill for homeowners protection
Summer Shields; expressed concern with issues relating to the economy and requested the Board to pass a resolution supporting a federal bill for homeowners protection
Male speaker; expressed concern with issues relating to the economy and requested the Board to pass a resolution supporting a federal bill for homeowners protection
John di Donna; expressed concern with issues relating to situation ethics
Female speaker; expressed concern with issues relating to Access San Francisco, Channel 29
Richard McRee; expressed concern with issues relating to his design for the Sigmund Stern Grove
Dane Johnsten; expressed concern with issues relating to freedom of speech Francisco da Costa; expressed concern with issues relating to a Bayview Hunters Point developer

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.
Supervisor Ammiano was noted absent at 4:07 p.m.
Supervisor Ammiano was noted present at 4:50 p.m.

081206 **[90 day extension for Planning Commission review - The Metro Theatre]** **Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

Enacted Number: 393-08
ADOPTED

081207 **[Accept and Expend State Grant - Funding two Environmental Health programs - $8,250]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and

expend retroactively a new grant in the amount of $8,250 from the California Department of Food and Agriculture (CDFA) funding two programs, the Petroleum Products Compliance program and the Weighmaster Enforcement Program; for the period of July 1, 2008 through June 30, 2009.

Enacted Number: 394-08
ADOPTED

081208 **[Sea Otter Awareness Week - September 21-27, 2008]** **Supervisor Peskin**

Resolution declaring September 21-27, 2008 Sea Otter Awareness Week in San Francisco.

Enacted Number: 395-08
ADOPTED

081209 **[Accept and Expend State Grant - To support pest exclusion activities - $47,731.06]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $47,731.06 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2008 through June 30, 2009.

Enacted Number: 396-08
ADOPTED

081210 **[Grant to fund a study through the HIV Prevention Section, Department of Public Health - $13,242]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $13,242 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM;" for the period of August 1, 2008 through July 31, 2009.

Enacted Number: 397-08
ADOPTED

081211 **[Grant funds to support worker health and safety - $7,580]** **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,580 from the University of California, Berkeley for year two of a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of

September 1, 2008 through August 31, 2009.

Enacted 398-08
Number:
ADOPTED

081212 **[Extended Producer Responsibility Framework]** **Supervisor McGoldrick**

Resolution urging the California State Legislature to enact legislation based on the Extended Producer Responsibility Framework policy adopted by the California Integrated Waste Management Board that will shift costs and responsibilities for waste management from local governments to the producers of products and incentivize product redesign.

Enacted 390-08
Number:
ADOPTED

081214 **[Health plans that provide health insurance coverage to San Francisco employees to provide comprehensive smoking cessation benefits]** **Supervisor Daly**

Resolution urging all health plans that provide health insurance coverage to employees in the City and County of San Francisco to offer comprehensive smoking cessation benefits.

Enacted Number: 388-08
ADOPTED

080711 **[Final Map - 480 14th Street]**

Motion approving Final Map 4547, a 12 Unit Residential Condominium Project, located at 480 14th Street being a subdivision of Lot 166 in Assessors Block No. 3533 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M08-144
APPROVED

080763 **[Final Map - 901 Bush Street]**

Motion approving Final Map 5181, a 38 Unit Residential Condominium Project, located at 901 Bush Street being a subdivision of Lot 001 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M08-143
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from the Without Reference to Committee Agenda

Supervisor Chu requested that this matter be severed so that it might be considered separately.

081213 [Celebrating the success of the Outside Lands Music and Arts Festival] **Supervisor Mirkarimi**

Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.

Continued to September 23, 2008

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080658 **[General advertising on City buildings and street furniture]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of July 1, 2007 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings; adopting environmental and other findings.

(9/16/08 - Supervisor McGoldrick submitted a substitute ordinance bearing new title.)

5/13/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/12/2008. (Referred to Planning Department for environmental review.)

9/16/08, ASSIGNED to City Operations and Neighborhood Services Committee.

9/16/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

081226 **[Accept-Expend Metropolitan Transportation Commission** **Supervisor Alioto-Pier**

Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]

Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of $210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

9/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081227 [Voting Systems Task Force] Supervisor Ammiano

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2008.

081228 **[Appropriating $498,304 General Fund Reserve for Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]** **Supervisor Ammiano**

Ordinance appropriating $498,304 from the General Fund Reserve for high risk youth violence prevention and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009. (Fiscal Impact.)

9/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081230 **[Medical Cannabis Dispensary Permits]** **Supervisor Daly**

Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2008.

081231 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance]** **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 14B.8 to direct the Human Rights Commission to assign numeric point values to the good faith outreach steps that bidders must undertake for all public work/construction, architect/engineering, professional service and general service contracts that exceed the minimum competitive amount or threshold amount.

9/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081232 **[Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4)**

Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires

on 10/16/2008.

081234 **[Zoning - Prohibiting Formula Retail Uses in the Chinatown Mixed Use Districts]** **Supervisor Peskin**

Ordinance amending the Planning Code by amending Section 803.6 to prohibit formula retail uses in the Chinatown Mixed Use Districts; amending Section 803.2 to refer to this prohibition, and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (9/19/08 - Economic Impact.)

9/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/17/08, REFERRED TO DEPARTMENT. Referred to Planning Commision for review and comment; Planning Department for environmental review; Small Business Commission for comment and recommendation.

081235 **[Subdivision Code - notice and appeal procedures, DBI review fee]** **Supervisor Peskin**

Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to

conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2008.

081236 [Appropriating $130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal Year 2008-2009] **Supervisors Peskin, Elsbernd**

Ordinance appropriating $130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

9/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

081229 [Accept and Expend EPA West Coast Collaborative FOG to Biodiesel Grant funds - $175,000] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend an EPA FOG to Biodiesel Grant in the amount of $175,000

through the West Coast Collaborative.
9/16/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081233 **[Urging the Department of Public Works to revisit the street sweeping reductions]** **Supervisors McGoldrick, Alioto-Pier**

Resolution urging the Department of Public Works to revisit the current Mechanical Sweeping Program improvements program, in order to perform thorough public outreach to community groups and integrate public feedback from those who live in affected neighborhoods into the citywide plan to reduce the mechanical street sweeping schedule.
9/16/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081237 **[Appointments, Treasury Oversight Committee, Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom]** **Supervisor Peskin**

Resolution appointing Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom, terms ending June 5, 2009, to the Treasury Oversight Committee.
9/16/08, RECEIVED AND ASSIGNED to Rules Committee.

081238 **[Extending sunset date of the Peak Oil Preparedness Task Force]** **Supervisor Mirkarimi**

Resolution extending the sunset date of the Peak Oil Preparedness Task Force for not more than six months.
9/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081239 [Commending Yomi Agunbiade, General Manager of the Recreation and Park Department, for his dedicated service] **Supervisors Elsbernd, Chu, Mirkarimi, Maxwell, Peskin, Alioto-Pier, Dufty**

Resolution commending Yomi Agunbiade, General Manager of the Recreation and Park Department, for his dedicated service.
9/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081240 [30 day halt to Department of Public Works' mechanical street sweeping changes] **Supervisor Alioto-Pier**

Resolution urging the Department of Public Works to immediately halt the implementation of the changes to the mechanical street sweeping program for 30 days.
9/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081241 **[Accept-Expend State Grant - Life and Annuity Consumer Protection Program - $25,000]** **Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2008 through June 2009.

9/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

081221 **[Department of Public Works (DPW) Mechanical Street Cleaning Changes]** **Supervisor Alioto-Pier**

Hearing on Department of Public Works (DPW) Mechanical Street Cleaning Changes. The hearing shall explore the changes DPW has proposed for mechanical street cleaning in residential neighborhood, the community outreach done in advance and community response received, and what alternatives DPW has studied before deciding on these changes.

9/16/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081223 **[Status of Memorandum of Understanding (MOU) for renovation of Dolores Park Children's Playground]** **Supervisor Dufty**

Hearing to receive an update from the Recreation and Parks Department (RPD) on the status of the Memorandum of Understanding (MOU) concerning the renovation of the Dolores Park Children's Playground. The hearing will also consider the expenditure plan for funds provided for this project in the 2008-2009 budget and the 2008 Park Bond.
9/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081224 **[San Francisco Zoo - Office of the Legislative Analyst Report]** **Supervisor McGoldrick**

Hearing to discuss the report written by the Office of the Legislative Analyst which compares the San Francisco Zoo's current practices in the areas of animal welfare, education and conservation against standards and policies promulgated by the USCA and various zoo associations.
9/16/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081225 **[Hayes Street two-way restoration]** **Supervisor Mirkarimi**

Hearing on the status of the Municipal Transportation Agency's restoration of Hayes Street to a two-way thoroughfare pursuant to Board of

Supervisors Resolution No. 619-07.
9/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

081165 [Settlement of Lawsuit - Twylah Sperka - $49,000]

Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for $49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al. (City Attorney)
9/9/08, RECEIVED AND ASSIGNED to Rules Committee.

081166 [Settlement of Lawsuit - J. Hadley Louden - $35,000]

Ordinance authorizing settlement of the lawsuit filed by J. Hadley Louden against the City and County of San Francisco for $35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Louden v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006. (City Attorney)
9/4/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

081164 [Amending the agreement between the CCSF and Office Depot for office supplies to $17,540,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to $17,540,000, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

9/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081167 [Lease of Real Property at 1700-1740 17th Street and 1415 16th Street, San Francisco]

Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 52,125 square feet of improvements upon a lot area of 62,373 square feet, located at 1700-1740 17th Street and 1415 16th Street (Assessor's Block 3955, Lot 002) in San Francisco for the San Francisco Police Department. (Real Estate Department)

(Fiscal Impact.)

9/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 9/17/08 - Referred to Planning for determination of environmental impact. 09/23/08 - Response Received, Not a project per section 15060(c)(3) of the CEQA guidelines.

081168 [Agreement with PRWT Services, Inc. for Citation Processing Services]

Resolution authorizing a five year agreement, with option to renew for up to an additional five years, with PRWT Services, Inc. for an amount not to exceed $53.5 million. (Municipal Transportation Agency)
(Fiscal Impact.)
9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:
Wood
945 Linden
Metal Pole
Northeast corner Broderick and Fell
Haight and Buena Vista West, south side of street
Northeast corner of 7th Avenue and Irving
Mailboxes

Southwest corner of 9th Avenue and Lincoln
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Northeast corner Linden and Buchanan
Southeast corner Linden and Buchanan
Southwest corner 9th Avenue and Lincoln
Bus Shelters
Southwest corner of Haight and Baker
Northeast corner of Baker and Haight
Southeast corner of Fillmore and Haight, graffiti and needs power washing
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:
Garbage Cans
Southwest corner of Hayes and Scott
Northeast corner of Buchanan and Haight
Northeast corner of Buena Vista West
On Haight Southside between Masonic and Buena Vista West
Southwest corner of 5th Avenue and Lincoln
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing

graffiti at the following private property locations:
At Haight and Stanyan, McDonald's brick wall
465 Lincoln
501 Haight
55 Laguna, UC Berkeley campus, on the Haight and Laguna Street

In Memoriams

Robert J. "Bob" McCarthy - Entire Board
Mazie Cecilia McDermott Nevin - Entire Board
Royshawn Holden - Supervisor Mirkarimi
Peter Camejo - Supervisor Mirkarimi
W. Deen Muhammed - Supervisor Mirkarimi
Del Martin - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:24 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on October 21, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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September 23, 2008

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MEETING MINUTES

Tuesday, September 23, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor McGoldrick was noted absent.
There was a quorum present.
Supervisor McGoldrick was previously excused from attendance.

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor

McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of August 12, 2008. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081096 **[Setting San Francisco's fiscal year 2008-2009 property tax rate and establishing pass-through rate for residential tenants]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the City and County purposes and

establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2009.

Enacted Number: 217-08
FINALLY PASSED

081097 **[Setting San Francisco Community College District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Community College District purposes for the fiscal year ending June 30, 2009.

Enacted Number: 218-08
FINALLY PASSED

081098 **[Setting San Francisco Unified School District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Unified School District purposes for the fiscal year ending June 30, 2009.

Enacted 219-08

Number:
FINALLY PASSED

081099 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for the San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2009.

Enacted 216-08
Number:
FINALLY PASSED

081057 **[Appropriating $110,632 of Community Improvement Impact Fee revenue for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009]** **Supervisor Maxwell**

Ordinance appropriating $110,632 of Community Impact Fee revenue from the Visitacion Valley Infrastructure Fund for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009.

Enacted 220-08
Number:

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

081019 **[Public Employment - Deputy Chief 3 - Police Department]** **Supervisor Dufty**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of 2 positions (1.50 FTE) Class 0402 - Deputy Chief 3 in the Police Department. (Supervisor McGoldrick dissented in committee.) (Fiscal Impact.)

Enacted Number: 221-08

FINALLY PASSED by the following vote:
Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 4 - Ammiano, Daly, Mirkarimi, Peskin
Excused: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]** **Supervisors Mirkarimi, Dufty, Maxwell**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and

off-site inclusionary housing units in those programs.

Continued to October 7, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081084 **[Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure]** **Supervisor Elsbernd**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081071 [Approval of CPMC Lease Termination Agreement at One South Van Ness Avenue]

Resolution retroactively approving a Lease Termination Agreement between the City, as landlord, and CPMC, as tenant, for approximately 127,638 square feet of office space on the 4th and 8th floors of One South Van Ness Avenue, and the subsequent occupancy of the 4th floor space by the Department of Human Resources and the 8th floor space by the Municipal Transportation Agency. (Real Estate Department)
(Fiscal Impact.)

Enacted Number: 399-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081073 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a

Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2008 to September 30, 2009. (Treasure Island Development Authority) (Fiscal Impact.)

Enacted 400-08
Number:
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081075 [Airport Concession Lease]

Resolution approving the Boarding Area "F" Pharmacy, Health and Beauty Store Lease between Harmony Pharmacy and Health Center, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

Enacted 401-08
Number:
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081079 [Amendment to leases of Real Property at 3120 Mission and 3425 Cesar Chavez Streets]

Resolution authorizing the Amendment to leases at 3120 Mission and 3425 Cesar Chavez Streets for the Department of Human Services. (Real Estate

Department)
(Fiscal Impact.)

Enacted Number: 402-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Government Audit and Oversight Committee

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the

proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department)
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]

Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Seismic Compliance Hospital Replacement Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter

Section 4.105 and Administrative Code Section 2A.53. (Public Works Department) (Fiscal Impact.)

Enacted Number: 403-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081102 **[MOU, Amendment No. 2 - Municipal Attorneys' Association]** **Mayor**

Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081103 **[MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007

through June 30, 2011.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

From the Government Audit and Oversight Committee Without Recommendation

081107 **[MOU - SF Police Officers' Association (SFPOA), P-2B]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011. (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Maxwell
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

081074 [Changing the official sidewalk width - Harrison Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisors Dufty and Mirkarimi Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Chu, moved moved to excuse Supervisors Dufty and Mirkarimi from voting on this matter, due to a possible conflict of interest. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Peskin, Sandoval
Excused: 3 - Dufty, McGoldrick, Mirkarimi

081087 [Condominium conversion **Supervisor**

lottery based on seniority of participation] **McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Ammiano, Chu, Elsbernd, Peskin, Sandoval

Noes: 2 - Daly, Maxwell

Excused: 3 - Dufty, McGoldrick, Mirkarimi

SPECIAL ORDER 4:00 P.M.

081133 [Public Hearing - Appeal of Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project]

Hearing of persons interested in or objecting to the Planning Commission's August 7, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2004.0160E, through its Motion No. 17659, for a proposed Eastern Neighborhoods Rezoning and Area Plans project, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, and

adoption of interim historic preservation procedures. The Plan Area generally includes the eastern portion of the South of Market Area ("East SOMA"), The Mission, Showplace Square/Potrero Hill, and the Central Waterfront Neighborhoods of San Francisco and making other related findings. (Appellants: Chris Durazo, Filed 8/8/08; and Gary Noguera, Filed 8/27/08)
(Filed 8/8/08 and 8/27/08; companion measure to Files 081134, 081135, 081136.)

The President inquired as to whether any member of the public wished to address the Board members.
Sue Hestor, Attorney for South of Market Community Action Network; appellant
Mr. Fukado, Representative of the Coalition for Neighborhoods; appellant
April Veneracion; support of the appellant
Angela Cabati; support of the appellant
Chris Durazo; Appellant
Jazzie Collins; support of the appellant
Female speaker; support of the appellant
Male speaker; support of the appellant
Tom Gilberti; support of the appellant
Judith Berkovitz; support of the appellant
Michael Jacinto, Bill Wykco and Paul Maltzer, representatives of the Planning Department, reviewed with the Board their recommendations.
Male speaker; support of the project sponsor
Rebuttal Period: Appellant
Sue Hestor and Mr. Fukado
The President declared the public hearing closed.
Heard at public hearing.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081134 [Affirming certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)

Enacted Number: M08-148

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Sandoval

Noes: 1 - Peskin

Absent: 2 - Daly, Dufty
Excused: 1 - McGoldrick

081135 [Disapproving certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 2 - Daly, Dufty
Excused: 1 - McGoldrick

081136 [Preparation of findings to disapprove certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans FEIR. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 2 - Daly, Dufty
Excused: 1 - McGoldrick

COMMITTEE REPORTS

081048 [Reappointment, Board of Appeals - Frank Fung]

Motion approving the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012. (Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).
(9/18/08, Supervisor Daly dissenting in committee).

Enacted Number: M08-146

APPROVED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - McGoldrick

081050 [Reappointment, Board of Appeals - Tanya Peterson]

Motion approving the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).

Enacted Number: M08-147

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a

Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

John di Donna; expressed concern with issues relating to the violations of civil rights
Cecil Lewis; expressed concern with issues relating to the labeling of different types of gasoline
Walter; expressed concern with issues relating to the fixing and retro fitting of his building
Female speaker; expressed concern with issues relating to the height of buildings for exiting the building
Richard McRee; expressed concern with issues relating to high rises and the use of existing buildings and his design for Sigmund Stern Grove

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081238 **[Extending sunset date of the Peak Oil Preparedness Task Force]** **Supervisor Mirkarimi**

Resolution extending the sunset date of the Peak Oil Preparedness Task Force for not more than six months.

Enacted Number: 407-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081239 **[Commending Yomi Agunbiade, General Manager of the Recreation and Park Department, for his dedicated service]** **Supervisors Elsbernd, Chu, Mirkarimi, Maxwell, Peskin, Alioto-Pier, Dufty**

Resolution commending Yomi Agunbiade, General Manager of the Recreation and Park Department, for his dedicated service.

Enacted Number: 405-08

ADOPTED

081241 **[Accept-Expend State Grant - Life and Annuity Consumer Protection Program - $25,000]** **Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2008 through June 2009.

Enacted Number: 406-08
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed From the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

081240 **[30 day halt to Department of Public Works' mechanical street sweeping changes]** **Supervisor Alioto-Pier**

Resolution urging the Department of Public Works to immediately halt the implementation of the changes to the mechanical street sweeping program for 30 days.

REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Chu requested that this matter be severed so that it might be considered separately.

081213 **[Celebrating the success of the Outside Lands Music and Arts Festival]** **Supervisor Mirkarimi**

Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.

Enacted 404-08
Number:

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Chu
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved the purely commendatory finding. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, Dufty

Excused: 1 - McGoldrick

081244 **[Folsom Street Fair Day in San Francisco]** **Supervisors Dufty, Ammiano**

Resolution declaring September 28, 2008 as Folsom Street Fair Day in San Francisco.

Enacted Number: 408-08

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, Dufty

Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081247 **[Zoning - Conditional use authorization for new** **Supervisor Ammiano**

development in the Bernal South Slope Area]

Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

9/23/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/23/2008.

081249 **[Inclusionary In Lieu Fees For Small Site Acquisition and Rehabilitation]** **Supervisor Daly**

Ordinance amending Planning Code Section 315.6 of the Residential Inclusionary Affordable Housing Program to provide that ten percent (10%) of in lieu fees paid under Section 315.6, not to exceed a maximum of $15 million at any one time, be designated exclusively for the acquisition and/or rehabilitation of affordable housing sites consisting of less than 25 units.

9/23/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/23/2008.

081250 **[Massage practitioner requirements]** **Supervisor Dufty**

Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement

that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at least 100 hours of massage instruction.
9/23/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/23/2008.

081251 **[Planning Code--Appendix K to Article 10, Bush Street-Cottage Row Historic District]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Appendix K to Article 10, "Bush Street-Cottage Row Historic District," by adding a new Section 7 to set forth additional requirement for Certificates of Appropriateness; and making findings, including findings of consistency with the General Plan and priority policies of Planning Code Section 101.1 and environmental findings.
9/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081252 **[Coordinated Code Enforcement Process]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 102 to require coordination in the code enforcement efforts of City departments and to establish a fund to support the City's code enforcement activities; adding Section 10.100-167 to create a Category 4 fund to receive and expend funds related to the City's code enforcement activities; and amending

Section 1.56 to require annual reports to contain details on the department's code enforcement activities; amending the San Francisco Business and Tax Regulations Code by adding Section 16(a) to provide a mechanism for enforcement of decisions of the Board of Appeals; amending Section 102A of the San Francisco Building Code and adding Section 176.2 to the San Francisco Planning Code to provide for enforcement of decisions of the Board of Appeals without additional abatement proceedings by the department; adopting environmental and other findings.
9/23/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2008.

Resolutions

081244 [Folsom Street Fair Day in San Francisco] **Supervisors Dufty, Ammiano**
Resolution declaring September 28, 2008 as Folsom Street Fair Day in San Francisco.
9/23/08, ADOPTED.

081248 [Changing the name of Rowland Street in North Beach to Dirk Dirksen Alley] **Supervisor Ammiano**
Resolution declaring the Board's intention to change the name of Rowland Street on Broadway in North Beach to "Dirk Dirksen Alley," in recognition of Dirk Dirksen, who will be remembered as one of the most important figures in the musical and cultural history

of San Francisco; and authorizing initiation of the process to install a commemorative plaque on said street.
9/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081253 **[Single Family Housing Bond REO and Refinance program]** **Mayor, Supervisors Maxwell, McGoldrick, Chu**

Resolution authorizing an application by the Mayor's Office of Housing to the California Debt Limit Allocation Committee to permit the issuance of Single Family Housing Bonds in an aggregate amount not to exceed $10,115,243 to enable the purchase of Real Estate Owned (REO) single family units by low and moderate income households and the refinance of subprime and adjustable rate mortgages (ARM) to 30 and 40 year amortized fixed mortgages for low and moderate income households in single family homes.
9/23/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081254 **[Accept-Expend San Francisco Giants Community Fund and the Good Tidings Foundation gift - $100,000]** **Mayor**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a gift in the estimated amount of $100,000 from the San

Francisco Giants Community Fund and the Good Tidings Foundation for Excelsior Playground baseball/softball field improvements.
9/23/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081255 [Conflict Resolution Day - October 16, 2008] **Supervisor Daly**

Resolution declaring October 16th "Conflict Resolution Day", to be recognized in San Francisco for the purpose of fostering awareness and use of conflict resolution tools within our schools and communities.
9/23/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081256 [Accept and Expend Grant - Office of Language Services - $40,000] **Supervisors McGoldrick, Chu**

Resolution retroactively authorizing the Office of Language Services to accept and expend grant funds in the amount of $40,000 from the Zellerbach Family Foundation to create a pilot program to expand the organizational capacity of the City's law enforcement, criminal justice, and emergency management agencies to meet the cultural and linguistic needs of limited English proficient victims of domestic violence.
9/23/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

081245 [Nitrite based Poppers] **Supervisor Ammiano**

Hearing on the disclosure of the Health effects of Nitrite based Poppers.

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081246 [Status and Benefits of Proposition 63 Funds] **Supervisor Ammiano**

Hearing on the status and benefits of Proposition 63 funds.

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

Motions

081257 [Confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency] **Mayor**

Motion confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081258 [Confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency] — Mayor

Motion confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.
9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

081205 [Settlement of Lawsuit, Gladys DeWitt - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for $50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.
9/9/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

081215 [Appointment, Transbay Joint Powers Authority - Carter R.

Rohan]

Resolution confirming the appointment of Mr. Carter R. Rohan, R. A. (Senior Director of Transportation Planning and Development Division of the San Francisco Municipal Transportation Agency) to serve on the Transbay Joint Powers Authority as an Alternate Member when SFMTA Executive Director/CEO Nathaniel P. Ford, Sr. is unable to attend. (Municipal Transportation Agency)
9/12/08, RECEIVED AND ASSIGNED to Rules Committee.

081217 [Approval of three contracts for the Department of Public Health]

Resolution authorizing the San Francisco Department of Public Health to enter into five contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 and January 1, 2009 through June 30, 2013 and December 31, 2013. (Public Health Department) (Fiscal Impact.)
9/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081218 [Amendment to Settlement

Agreement with Pacific Gas and Electric Company]

Resolution authorizing the Port to execute an amendment to the settlement agreement between Pacific Gas and Electric Company (PG&E) and the City and County of San Francisco, dated June 14, 2005, in the matter of PG&E's petition for relief under the Bankruptcy Code (Federal ID No. 94-0742640). The settlement resolves a claim of encroachment by PG&E's Hunter's Point Power Plant on Custer, Davidson, India and Ingalls Streets, by: (1) extending PG&E's right to continue occupying approximately 35,465 square feet of Custer and Davidson Streets until July 31, 2012, and to continue occupying approximately 56,484 square feet of Custer, Davidson, India and Ingalls Streets until July 31, 2016, with option to extend each period of occupancy for periods of 6 months at a time with the Port's prior written consent; and (2) delaying the commencement date of a 5-year lease to PG&E of approximately 1,421 square feet of Davidson Street from January 1, 2008 to August 1, 2012. (Port)

9/11/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing

graffiti from utility poles at the following locations:
Metal Pole
Northwest corner of Steiner and Fell
Northwest corner of Fell and Scott
Southeast corner of Broderick and Fulton
Southeast corner of Fulton and Scott
Northeast corner of Fell and Steiner
Southwest corner of Masonic and Haight
Southeast corner of Hayes and Buchanan
North side, center median on Divisadero and Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
1566 Haight
541 Haight
626 Scott
685 Scott
484 Haight (gang graffiti)
1201 Fulton
940 Fillmore
500 Fillmore
573 Fillmore
Pierce and Fell (Ida B. Wells wall)
799 Haight
792 Haight
698 Haight
299 Webster
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of

Public Works to report on the status of removing graffiti at the following locations:
Phone Switch Boxes
Northeast corner of Scott and Oak
Northeast corner of Broderick and Fulton
Southwest corner of Fulton and Broderick
Southwest corner of Fillmore and Fulton
Garbage Cans
Southwest corner of Baker and Haight
Northeast corner of Fulton and Fillmore
Northeast corner of Clayton and Haight
North side at Fulton and Clayton
Fire Hydrant
Norhtwest corner of Octavia and Grove
Northeast corner of Clayton and Page
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft an ordinance that would create a moratorium on new tobacco paraphernalia establishments on Haight Street.

In Memoriams

Stephen Oliver Price aka Steve Lady - Supervisor Ammiano
John Burnside - Supervisors Ammiano and Dufty
Frank Kardos - Supervisor Daly
Barbara Pacak - Supervisors Elsbernd and Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:58 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters

stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on October 28, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of

Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War

Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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October 7, 2008

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MEETING MINUTES

Tuesday, October 7, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisors McGoldrick and Sandoval were noted absent.
There was a quorum present.
Supervisor Sandoval was noted present at 2:10 p.m.
Supervisor McGoldrick was previously excused from attendance.

Supervisor McGoldrick Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisor McGoldrick

from attending today's meeting. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

081084 [Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure] **Supervisor Elsbernd**
Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.
Enacted Number: 224-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

081101 **[Accept-Expend two related HIV research grants - $105,248]** **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two related grants in the total amount of $105,248 from the Public Health Foundation Enterprises (PHFE) to support the "HIV Vaccine Trials Network Study - Parts A and B"; for the periods of January 1, 2008 through June 30, 2008 (Part A) and July 1, 2008 through December 31, 2008 (Part B).

Enacted Number: 421-08

ADOPTED

081111 **[Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application - $36,118,233]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of $36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through

February 28, 2010. (Public Health Department)

Enacted Number: 418-08

ADOPTED

081187 [Accept-Expend Federal grant for emergency planning - $175,783] **Supervisor Alioto-Pier**

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of $175,783 from the Federal Emergency Management Agency (FEMA), through the California Governor's Office of Emergency Services (State OES), for emergency planning for at-risk and vulnerable populations, for the period of July 1, 2008 through June 30, 2009.

Enacted Number: 410-08

ADOPTED

081189 [Accept and Expend grant - to support the STD Surveillance Network - $225,000] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Centers for Disease Control and Prevention (CDCP), in the amount of $225,000, to support the STD Surveillance Network; for the period of September

30, 2008 through September 29, 2009.

Enacted Number: 422-08

ADOPTED

Recommendations of the Government Audit and Oversight Committee

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section

2A.53. (Public Works Department)
(Fiscal Impact.)

Enacted 222-08
Number:
FINALLY PASSED

081102 **[MOU, Amendment No. 2 - Municipal Attorneys' Association]** **Mayor**

Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.

Enacted 225-08
Number:
FINALLY PASSED

081103 **[MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact.)

Enacted 226-08
Number:

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

081074 [Changing the official sidewalk width - Harrison Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Enacted 223-08
Number:
FINALLY PASSED

Recommendations of the Rules Committee

081143 [Appointment, Western SOMA Citizens Planning Task Force, John Rosenbaum]

Motion appointing John Rosenbaum, term ending June 30, 2010, to the Western SOMA Citizens Task

Force, residency requirement waived.
John Rosenbaum, succeeding Catherine Ann Swineford, seat 23, term expired, must be a person representing the interests of homeless individuals, for term ending June 30, 2010 (residency requirement waived).

Enacted Number: M08-156
APPROVED

081144 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee, Judith Barker and Steven Sarver]

Motion appointing Judith Baker and Steven Sarver, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.
Judith Baker, succeeding Kelly Wilkinson, seat 6, term expired, must provide direct services to SOMA families, for a two-year term ending April 27, 2010.
Steven Sarver, succeeding himself, seat 7, term expired, must have small business expertise and a familiarity with the SOMA neighborhood, for a two-year term ending April 27, 2010 (residency requirement waived).

Enacted Number: M08-155
APPROVED

080848 [Appointment, Community Oversight Committee Regarding Enforcement of Marijuana Offenses, Mesha Monge-Irizarry]

Motion appointing Mesha Monge-Irizarry, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mesha Monge-Irizarry, succeeding Camilla Field, seat 6, resigned, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.

Enacted Number: M08-154

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Severed from the Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

081062 [Appointment, Sunshine

Ordinance Task Force, Doyle Johnson]

Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force. Doyle Johnson, new designation, seat 7, must be member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government, for a two-year term ending April 27, 2010.

Supervisor Elsbernd, seconded by Supervisor Chu, moved to rerefer this matter to the Rules Committee.

Motion to rerefer this matter failed by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Elsbernd, Maxwell

Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Enacted Number: M08-153

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and

Oversight Committee Without Recommendation

081107 **[MOU - SF Police Officers' Association (SFPOA), P-2B]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011. (Fiscal Impact.)

Enacted Number: 227-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]** **Supervisors Mirkarimi, Dufty, Maxwell**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding

Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Daly, seconded by Supervisor Ammiano, moved to further amend relating to a hard cap of 50% of affordable housing going to certificate holders:

Motion to further amend failed by the following vote:
Ayes: 4 - Ammiano, Daly, Peskin, Sandoval
Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi
Excused: 1- McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081087 **[Condominium conversion lottery based on seniority of participation]** **Supervisor McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

Supervisors Dufty and Mirkarimi were previously excused from voting on this matter.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Peskin, Sandoval
Excused: 3 - Dufty, McGoldrick, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081200 **[Appropriating $51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09]** Mayor

Ordinance appropriating $25,611,567 of Tobacco Settlement Revenues and $25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

081203 [Appropriating $13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009] **Supervisors Elsbernd, Chu, Mirkarimi**

Ordinance appropriating $11,756,665 of FY 2008-09 Proposition 42 State Funds and $1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)
Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081027 **[Clean Renewable Energy Bonds - $6,325,000]**

Resolution approving the issuance of not to exceed $6,325,000 aggregate principal amount of clean renewable energy bonds to be issued by the Public Utilities Commission of the City and County of San Francisco (the "Commission"); approving the execution and delivery by the Commission of a Master Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, and a Bond Purchase Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal Impact.)

Enacted 413-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

081109 **[Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy. (Public Utilities Commission)

(Fiscal Impact.)

Enacted Number: 429-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081141 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

Enacted Number: 427-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of

aged accounts services]

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

Enacted 428-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081164 [Amending the agreement between the CCSF and Office Depot for office supplies to $17,540,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to $17,540,000, pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Enacted 412-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

080621 **[Amending Health Code Article 8 - Food Preparation and Service Establishment]** **Mayor**

Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081121 **[Accept-Expend state grant and amend Annual Salary Ordinance, FY 2008-09 - $400,000]** **Supervisors Elsbernd, Dufty, Chu**

Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in

the amount of $400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080853 [Liquor license - 251 Rhode Island Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Joseph Latimore for Gallery Sensei, located at 251 Rhode Island Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 423-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081076 [Liquor license transfer - 1926

Lombard Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 1600 Lombard Street to 1926 Lombard Street (District 2), to Luigi and Brixhilda Daberdaku and Cezar and Georgeta Popovici for Luigi's Delicatessen, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 426-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Recommendations of the Government Audit and Oversight Committee

081091 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations"]

Supervisor Peskin

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury

Recommendations".

Enacted Number: 414-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081092 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government"] **Supervisor Peskin**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government".

Enacted Number: 419-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081094 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco"] **Supervisor Peskin**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "A

Year of Five Elections for the City and County of San Francisco".

Enacted Number: 420-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

081117 **[Zoning - Interim Moratorium on Conversion of Residential Rental Units to Student Housing]** **Supervisors Daly, Peskin, Maxwell**

Urgency Ordinance imposing an interim zoning moratorium on the conversion of residential rental units to student housing for 45 days and making required findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1.

Enacted Number: 228-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071431 **[Planning Code - Restoration of Movie Theater Projecting Signs and Marquees]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080845 **[Changing the official sidewalk width - Golden Gate Avenue]** **Supervisor McGoldrick**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080873 [Naming the alleys behind the 2200 block of Fillmore Street Goldberg Lane] **Supervisor Alioto-Pier**

Resolution bestowing the new name of Goldberg Lane on the alleys behind the 2200 block of Fillmore Street, currently known as Unnamed Streets 110 and 111, in honor of the late Faye Goldberg.

Enacted 425-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080778 [Initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District] **Supervisor Mirkarimi**

Resolution initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District.

Enacted 424-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081192 **[Accept-Expend Federal Grant - $2,280,000]** **Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

Enacted Number: 411-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080696 **[Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach

Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less that 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 703.3, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District

and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

080567 [Zoning - Ordinance creating a Conditional Use requirement for establishments that sell Tobacco Paraphernalia] **Supervisor Sandoval**

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new

enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080720 [Landmark Designation of 1969 Supervisors California Street (Tobin House)] Peskin, Sandoval

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot

Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081122 [Vacation of the Ingleside Path] **Supervisor Elsbernd**

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

Enacted Number: 409-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

From the Land Use and Economic

Development Committee Without Recommendation

081120 **[Ordering vacation of the Ingleside Path]** **Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Continued to a public hearing on November 4, 2008 at 3:00 p.m.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080652 **[Rental Subsidy Program for Low-Income Families]** **Supervisors Daly, Ammiano, Sandoval**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Continued to October 21, 2008

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Rules Committee

080616 [Appointment of Independent Hearing Officer for Local Enforcement Agency] — **Supervisor Dufty**

Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

From the Rules Committee Without Recommendation

081162 [Appointment, Veterans Affairs Commission, Wallace Levin]

Motion appointing Wallace Levin, term ending January 31, 2012, to the Veterans Affairs Commission.

Wallace Levin, succeeding himself, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

Enacted Number: M08-152

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Excused: 1 - McGoldrick

081243 [Appointment, Veterans Affairs Commission, Stephen Noetzel]

Motion appointing Stephen Noetzel, term ending January 31, 2012, to the Veterans Affairs Commission.

Stephen Noetzel, succeeding Wallace Levin, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to John Greenberg in recognition of his dedicated service to the Potrero Hill Recreation Center.
Supervisor Maxwell welcomed, introduced and

presented a Certificate of Honor to members of the Junior League of San Francisco in recognition of their upcoming 100 year celebration of service.

SPECIAL ORDER 4:00 P.M.

Supervisor Daly was noted present at 3:55 p.m.
Supervisor Ammiano was noted absent at 4:05 p.m.

081171 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 800-808 Lyon Street/1980-1998 Golden Gate Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 2, 2008, (Case No. 2008.1009E) (Building Permit Application No. 2008/01/28/3333) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The project involves the removal of a rear deck and stairs from the property at 1980-1998 Golden Gate Avenue that currently encroaches on the side yard of the property at 800-808 Lyon Street and includes the installation of a new fire escape at the front facade of 1980-1998 Golden Gate Avenue. (Appellants: Raquel Fox of the Tenderloin Housing Clinic, Inc. on behalf of the tenants at 800-808 Lyon Street, 1998 Golden Gate

Avenue and 1960 Golden Gate Avenue.)
(Filed September 3, 2008; Companion to Files 081172, 081173, 081174; District 5.)
The President inquired as to whether any member of the public wished to address the Board members.
Raquel Fox, Attorney for the appellant, Tenderloin Housing Clinic
Joe O'Donoghue; support of the appellant
Marianne Beck; support of the appellant
John Tamin; support of the appellant
Male speaker; support of the appellant
Curt Mueller; support of the appellant
Male speaker; support of the appellant
Jason Thrupp; support of the appellant
Ryan Macauley; support of the appellant
Viktoriya Wise and Matt Winthrop, representatives of the Planning Department, reviewed with Board the Planning Department's recommendations.
Pat Bustavich; Representative for the project sponsor
Rebuttal Period:
Raqual Fox, Attorney for the appellant
Heard at a public hearing.
The President declared the public hearing closed.
FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising

only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081172 [Affirming the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]

Motion affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved to table File No. 081172 and approve File Nos. 081173 and 081174.

The previous motion failed by the following vote:

Ayes: 3 - Daly, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Absent: 1- Ammiano

Excused: 1 - McGoldrick

Enacted Number: M08-151

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Noes: 3 - Daly, Mirkarimi, Sandoval

Absent: 1 - Ammiano
Excused: 1 - McGoldrick

081173 **[Disapproving the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]**

Motion disapproving the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

TABLED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

081174 **[Preparation of findings related to the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 800-808 Lyon Street/1980-1988 Golden Gate Avenue is exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M08-150

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

COMMITTEE REPORTS

080162 **[Disclosure of lobbying by campaign consultants]** **Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending Section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081008 **[Residential mental health treatment for youth in foster care]** **Supervisors Maxwell, Dufty**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081061 **[Amending individual expenditure ceilings for partial public financing program]** **Supervisor Daly**

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.134.5 to modify the calculation governing when a publicly financed candidate may access additional public funds.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081237 **[Appointments, Treasury Oversight Committee, Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom]** **Supervisor Peskin**

Resolution appointing Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom, terms ending June 5, 2009, to the Treasury Oversight Committee.

Enacted Number: 417-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081196 **[Appropriating $40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]** **Supervisors Peskin, Elsbernd, Chu, Mirkarimi**

Ordinance appropriating $40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including $36,875,562 in the Recreation and Park Department and $3,644,438 in the Port Commission for Fiscal Year 2008-2009. (Fiscal Impact.)

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081236 **[Appropriating $130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal** **Supervisors Peskin, Elsbernd**

Year 2008-2009]

Ordinance appropriating $130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

081127 [PG&E rate increases] **Supervisors Peskin, Dufty**

Resolution establishing the City's support for affordable rates for PG&E customers and directing the City Attorney and the Public Utilities Commission to participate in PG&E rate proceedings to advocate for reasonable rates.

Enacted Number: 415-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed; expressed concern with issues relating to war

James Chaffee; expressed concern with issues relating to the SF Public Library

Richard McRee; expressed concern with issues relating to his patent for the design for Sigmund Stern Grove and with the time allotted for public comment

Walter Paulson; expressed in song certain issues with the renovating of the Tenderloin

Cecil Mills; expressed concern with issues relating to the labeling of gasoline with the amount of profits

made by oil corporations and issues relating to global warming

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Supervisor Daly was noted absent at 3:45 p.m.

081255 [Conflict Resolution Day - October 16, 2008] **Supervisor Daly**

Resolution declaring October 16th "Conflict Resolution Day", to be recognized in San Francisco for the purpose of fostering awareness and use of conflict resolution tools within our schools and communities.

Enacted Number: 416-08

ADOPTED

080781 [Final Map - 580 Washington Street]

Motion approving Final Map 5025, a 9 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 580 Washington Street being a subdivision of Lot 029 in Assessors Block No. 0196 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,782; District 3.)

Enacted Number: M08-149
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Ordinances

080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System] — **Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 to allow miscellaneous members of the San Francisco Employees'

Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, and to conform to changes in the applicable law and Retirement System practices.

3/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 3/24/08 - Sent referral letter to the Retirement System.

8/22/08, FILED PURSUANT TO RULE 5.37.

10/7/08, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Elsbernd requested this matter be reactivated. 10/14/08 - Transmitted to the Employees' Retirement System for review. 10/20/08 - Response received from Employees' Retirement System.

10/7/08, ASSIGNED to Government Audit and Oversight Committee.

081118 [Administrative Code - Community Preservation and Blight Reduction Act] **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform

procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

8/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008.

8/19/08, REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

10/7/08, ASSIGNED to Land Use and Economic Development Committee.

10/7/08, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.

10/8/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and Department of Public Works for informational purposes.

081270 **[Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $14,941,976.82]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of $14,941,976.82 from the United States Department of Commerce and to provide $451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (1.0 FTE - 0941 Manager VI and 1.0 FTE - 0931 Manager III) in the Department of Emergency Management.
(Fiscal Impact.)
10/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081272 [Building Code - Bernal Heights Supervisor South Slope Protection Area] Ammiano

Ordinance amending the San Francisco Building Code by adding Section 106A.4.1.3 to create a Bernal South Slope Protection Area and require the Structural Advisory Committee to review and make recommendations on specified permit applications within that area, which is generally bounded by the western side of Roscoe Street and the eastern side of Moultrie Street in Bernal Heights, including the undeveloped extensions of Roscoe Street, Porter Street, Bache Street, Andover Street, and Moultrie Street, and to require mandatory denial of the permit by the Director of Building Inspection under

specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications located within the Bernal South Slope Protection Area; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications located within the Bernal South Slope Protection Area provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; and amending Building Code Section 1704.18 to require special inspections throughout the construction process for sites located within the Bernal South Slope Protection Area.
10/7/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/6/2008.

081283 **[Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment** **Supervisor Mirkarimi**

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number

of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.
10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081285 [Lobbyist Ordinance amendments to regulate permit lobbying] **Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.
10/7/08, RECEIVED AND ASSIGNED to Rules Committee.

081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure] **Supervisor Peskin**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081288 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in Neighborhood Commercial Districts] **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/7/08, FILED. Duplicate of File No. 081100.

10/7/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/6/2008. 10/14/08 - Referred to Planning for review.

081289 **[Public Employment - Port of San Francisco (PRT)]** **Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.75 FTE) Class 5502, Project Manager 1 at the Port of San Francisco (PRT).

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

081271 **[Accept - Expend Federal grant, Port - $1,522,536]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $1,522,536 from the Department of Homeland Security, Infrastructure Protection Program for security enhancements at the Port of San Francisco.

10/7/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081273 **[Lease of Real Property at 25 Van Ness, Lower Level, to New Conservatory Theatre Center]** **Supervisors Ammiano, Dufty**

Resolution authorizing the lease of approximately 12,792 rentable square feet of space to New Conservatory Theatre Center, a California non-profit corporation, in the lower level of 25 Van Ness, San Francisco.

10/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081280 **[Accept and Expend State Coastal Commission Grant Funds - $185,000]** **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Coastal Commission Grant in the amount of $185,000.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081281 **[Application to Amend San Francisco's Priority Development Area Designation]** **Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081282 **[Urging City Departments to develop a Home Improvement Plan for the Bayshore Corridor]** **Supervisor Maxwell**

Resolution urging the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency to develop plans and

programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.
10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081284 [Intent to change the name of Avery Street between Post Street and Geary Boulevard to Boswell Way] **Supervisor Mirkarimi**

Resolution declaring the Board of Supervisors' intention to change the name of Avery Street between Geary Boulevard and Post Street to Boswell Way in recognition of Reverend Hamilton T. Boswell, the longtime pastor of the Jones Memorial United Methodist Church and advocate for San Francisco's African American community.
10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081287 [Airport Refunding Bonds - $2,540,000,000] **Supervisor Peskin**

Resolution approving the issuance of up to $2,540,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; and approving certain related matters.
(Fiscal Impact.)

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081290 **[Disposition and Development Agreement for the Old Mint]** **Mayor**

Resolution approving and authorizing an amendment to the Old Mint Disposition and Development Agreement between the City and County of San Francisco and the San Francisco Museum and Historical Society to extend the dates for performance.

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081292 **[Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]** **Supervisor Daly**

Resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San Francisco to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

081294 **[Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]** **Supervisor Daly**

Resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.
10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

081296 **[Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]** **Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose of developing housing for very low income senior households.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

081298 **[Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]** **Supervisor Mirkarimi**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

081302 **[International Credit Union Day - October 16, 2008]** **Supervisor Peskin**

Resolution declaring October 16, 2008 International Credit Union Day in San Francisco.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081303 **[Grant funds to support worker** **Supervisor Chu**

health and safety - $32,249]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $32,249 from the Chinese Progressive Association for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of August 1, 2008 through July 31, 2010.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081304 **[State grant to support the High Risk (Pest Exclusion) program - $44,195]** — **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $44,195 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2008 through June 30, 2009.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081305 **[Landmark designation nomination for the California Buckeye tree located behind 757 Pennsylvania Street]** — **Supervisor Maxwell**

Resolution of intent initiating the nomination of the California Buckeye tree (Aesculus Californica) located behind 757 Pennsylvania Street, (Assessor's Bock 416B, Lot 11) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081306 [Commending Jazzie Collins] Supervisor Daly

Resolution recognizing Jazzie Collins for her dedication and leadership in improving conditions for SoMa residents and those of San Francisco's diverse communities.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

081080 [Sexually Transmitted Disease morbidity and transmission rates update] Supervisor Dufty

Hearing to receive an update on the morbidity and transmission rates of sexually transmitted disease from Sexually Transmitted Disease Prevention and Control Services of the Department of Public Health.

10/7/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081267 **[School of the Arts Civic Center Campus]** **Supervisor Dufty**

Hearing on the report of the Office of the Legislative Analyst entitled School of the Arts Civic Center Campus OLA No. 012-07. The hearing will include discussion on the efforts to create a SFUSD School of the Arts campus in the Civic Center area.

10/7/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

081268 **[Garbage Receptacles]** **Supervisor Dufty**

Hearing on the report of the Office of the Legislative Analyst entitled Garbage Receptacles OLA No. 010-08. The hearing will include discussion on existing procedures, the feasibility of a waiver process and receptacle storage.

10/7/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081269 **[San Francisco Unified School District (SFUSD) Strategic Plan]** **Supervisor Dufty**

Hearing on the strategic plan for the San Francisco Unified School District (SFUSD).

10/7/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

081291 **[Hearing - Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]** **Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m.

081293 **[Hearing - Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]** **Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the

development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m..

081295 **[Hearing - Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]** **Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose developing housing for very low income senior households.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m..

081297 **[Hearing - Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261** **Supervisor Mirkarimi**

Octavia Boulevard]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m.

081301 **[Committee of the Whole - Hearing on the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]** **Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano**

Hearing to consider the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

10/7/08, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on October 21,

2008.

Motion

081300 **[Committee of the Whole - October 21, 2008 regarding the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]** **Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

080941 **[Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - $2,750,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier

Transportation, Inc. for $2,750,000 and other consideration; the lawsuit was filed on December 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al. (Airport Commission)
9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - $56,500,000]

Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of $56,500,000. (Airport Commission) (Fiscal Impact.)
9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081068 [Settlement of City's Lawsuit Against Defendant EnCana Corp - $265,695.80]

Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed

by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $265,695.80 to the City from defendant EnCana Corp. (City Attorney)
9/22/08, RECEIVED AND ASSIGNED to Rules Committee.

081216 [Reward for Information about Supervisor underpayment of property tax] McGoldrick
Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.
9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081259 [Settlement of Lawsuit - Karen Douma - $1,695,100.00]
Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County Of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally

for $1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al. (City Attorney)
9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081260 [Settlement of Lawsuit - James R. Figueroa - $65,000]

Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for $65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works. (City Attorney)
9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081261 [Settlement of Lawsuit - Husam Sajjan - $100,000.00]

Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al. (City Attorney)
9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - $150,000.00]

Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for $150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al. (City Attorney) 9/29/08, RECEIVED AND ASSIGNED to Rules Committee.

081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC. (City Attorney) 9/29/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080840 [Designating and describing amended Treasure

Island/Yerba Buena Island Survey Area]

Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law. (Treasure Island Development Authority)

9/19/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080946 [Airport Concession Lease]

Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

9/23/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081264 [Agreement to Purchase Property in Tuolumne County - $70,000]

Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of $70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and

Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)
9/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081265 [Approval of the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program Implementation Plan]
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program for Fiscal Year 2008-2009. (Public Health Department)
9/26/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081266 [WSIP Agreement No. CS-914, Bay Division Regional Construction Management Services]
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-914, Bay Division Regional Construction Management Services. (Public Utilities Commission)
(Fiscal Impact.)

9/26/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Maxwell
To: Director, Department of the Environment
Requesting/Inquiring: Requesting the following information on its San Francisco Energy Watch Program:
1) By fiscal year, report the number of small businesses who have had free onsite assessments conducted by the program since its inception. Provide the addresses for these businesses.
2) By fiscal year, report the number of small businesses who have taken advantage of the reduced-cost installation of energy-saving equipment through the program since its inception. Provide the addresses for these businesses.
3) By fiscal year, report the number of multi-family residential properties who have had free onsite assessments conducted by the program since its inception. Provide the addresses for these multi-family residential properties.
4) By fiscal year, report the number of multi-family residential properties who have taken advantage of the reduced-cost installation energy-saving equipment through the program since its inception. Provide the addresses for these multi-family residential properties.
Supervisor Maxwell requests this information by Tuesday, November 4, 2008.
From: Supervisor Elsbernd

To: Controller
Requesting/Inquiring: Requesting the Controller's Office to provide the following information:
1) A Statement of Revenue and Expenditures for the Golf Fund - This statement should cover every fiscal year of the Golf Fund's existence, and detail at a line item level, the budgeted and actual revenues and expenditures of the fund, course by course.
2) Budgeted Position Detail for the Golf Fund - For each year of the Golf Fund's existence, a list of the budgeted FTE by job classes for each course.
3) Rounds Played - Final year-end rounds played at each course for each year those figures are available, up to10 years

In Memoriams

Chiyoe Taura - Supervisor Peskin
Admiral Thomas J. Patterson - Supervisor Peskin
Robert "Bob" William Melbourne IV - Supervisor Dufty
Kirsten Brydum - Supervisors Mirkarimi and Dufty
P.J. Corkery - Supervisor Dufty
Mary Josephine Lammers - Supervisor Alioto-Pier
Vera Whelan - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:44 p.m.
Angela Calvillo, Clerk of the Board

1/2/2009 2:02 PM

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on November 18, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at

the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415)

554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B.

Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

1/2/2009 2:02 PM

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October 21, 2008

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MEETING MINUTES

Tuesday, October 21, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.
There was a quorum present.
Supervisors McGoldrick and Alioto-Pier were noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Chu, moved to approve the Board Meeting

Minutes of September 9, 2008 and September 16, 2008. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081203 **[Appropriating $13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009]** **Supervisors Elsbernd, Chu, Mirkarimi**

Ordinance appropriating $11,756,665 of FY 2008-09 Proposition 42 State Funds and $1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)

Enacted Number: 230-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080621 **[Amending Health Code Article 8 - Food Preparation and Service Establishment]** **Mayor**

Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

Enacted Number: 233-08
FINALLY PASSED

081121 **[Accept-Expend state grant and amend Annual Salary Ordinance, FY 2008-09 - $400,000]** **Supervisors Elsbernd, Dufty, Chu**

Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the

Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

Enacted Number: 234-08
FINALLY PASSED

081229 [Accept and Expend EPA West Coast Collaborative FOG to Biodiesel Grant funds - $175,000] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend an EPA FOG to Biodiesel Grant in the amount of $175,000 through the West Coast Collaborative.

Enacted Number: 444-08
ADOPTED

081254 [Accept-Expend San Francisco Giants Community Fund and the Good Tidings Foundation gift - $100,000] **Mayor**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a gift in the estimated amount of $100,000 from the San Francisco Giants Community Fund and the Good Tidings Foundation for Excelsior Playground baseball/softball field improvements.

Enacted Number: 452-08

ADOPTED

Recommendations of the Government Audit and Oversight Committee

081196 **[Appropriating $40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]** **Supervisors Peskin, Elsbernd, Chu, Mirkarimi**

Ordinance appropriating $40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including $36,875,562 in the Recreation and Park Department and $3,644,438 in the Port Commission for Fiscal Year 2008-2009. (Fiscal Impact.)

Enacted Number: 231-08
FINALLY PASSED

081236 **[Appropriating $130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal Year 2008-2009]** **Supervisors Peskin, Elsbernd**

Ordinance appropriating $130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

Enacted Number: 235-08
FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 242-08
FINALLY PASSED

080720 [Landmark Designation of 1969

California Street (Tobin House)] **Peskin, Sandoval**

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

Enacted 236-08
Number:
FINALLY PASSED

080845 **[Changing the official sidewalk width - Golden Gate Avenue]** **Supervisor McGoldrick**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Supervisor McGoldrick requested to be added as sponsor.

Enacted 237-08
Number:
FINALLY PASSED

080567 **[Zoning - Ordinance creating a** **Supervisor**

Conditional Use requirement for Sandoval establishments that sell Tobacco Paraphernalia]

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 244-08

FINALLY PASSED

Recommendations of the Rules Committee

080162 **[Disclosure of lobbying by campaign consultants]** **Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending Section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

Enacted Number: 239-08
FINALLY PASSED

080616 **[Appointment of Independent Hearing Officer for Local Enforcement Agency]** **Supervisor Dufty**

Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

Enacted Number: 240-08
FINALLY PASSED

081008 **[Residential mental health treatment for youth in foster care]** **Supervisors Maxwell, Dufty**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.

Enacted Number: 241-08
FINALLY PASSED

081061 **[Amending individual expenditure ceilings for partial public financing program]** **Supervisor Daly**

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.134.5 to modify the calculation governing when a publicly financed candidate may access additional public funds.

Enacted Number: 243-08
FINALLY PASSED

081149 **[Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]**

Motion appointing Catherine Rose Russo, term

ending March 31, 2010, to the Commission on the Aging Advisory Council.
Catherine Rose Russo, succeeding herself, term expired, seat 6, must be nominee of District 7 Supervisor, for two-year term ending March 31, 2010.

Enacted Number: M08-159
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

081299 [Adopting findings related to affirming the categorical exemption issued for 800-808 Lyon Street/1980-1988 Golden Gate Avenue]
Motion adopting findings related to affirming the determination by the Planning Department that the

800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M08-157

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Budget and Finance Committee

081200 [Appropriating $51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09] **Mayor**

Ordinance appropriating $25,611,567 of Tobacco Settlement Revenues and $25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.

(Fiscal Impact.)

Enacted Number: 229-08

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]** **Supervisors Mirkarimi, Dufty, Maxwell**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable

Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

Enacted Number: 232-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080696 [Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated

bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less that 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 703.3, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted Number: 245-08

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

081087 **[Condominium conversion lottery based on seniority of participation]** **Supervisor McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

Supervisors Dufty and Mirkarimi were previously excused from voting on this matter.

Enacted Number: 238-08

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

From the Land Use Committee Without Recommendation

080652 **[Rental Subsidy Program for Low-Income Families]** **Supervisors Daly, Ammiano, Sandoval**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NOT PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081160 [Appropriating $86,367,000 of Bond revenue and adopting **Supervisor McGoldrick**

environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]

Ordinance appropriating $86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor)

(Fiscal Impact.)

Supervisor McGoldrick requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081226 **[Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of the Environment to accept and expend a grant up to the

amount of $210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081085 [Public Employment - Office of the Public Defender] **Supervisor McGoldrick**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).

(Supervisor Elsbernd dissented in committee.)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 4 - Alioto-Pier, Chu, Elsbernd, Peskin

081197 [Transfer of Real Property - 575 **Mayor**

Polk Street]

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to $323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081198 **[Transfer of Real Property - 400 McAllister Street]** **Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to $955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081110 **[Authorizing the Sheriff's Department to amend its contract with ARAMARK**

Correctional Services, LLC, for Jail Food Services]

Resolution authorizing the Sheriff's Department to enter into a second amendment to the agreement between the City and County and ARAMARK Correctional Services, LLC, to increase the contract amount from $15.2 million to an amount not to exceed $24 million and to extend the contract term to June 30, 2010. (Sheriff)

(Fiscal Impact.)

Enacted Number: 432-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081151 [Easement Deed and findings related to the SFPUC's New Crystal Springs Bypass Tunnel water infrastructure project]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Crystal Springs Bypass Tunnel Project; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and authorizing and approving the execution, delivery

and acceptance of an Easement Deed from the County of San Mateo granting to City certain easement rights in real property located beneath and adjacent to portions of Polhemus Road in San Mateo County. (Public Utilities Commission) (Fiscal Impact.)

Enacted Number: 437-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081167 [Lease of Real Property at 1700-1740 17th Street and 1415 16th Street, San Francisco]

Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 52,125 square feet of improvements upon a lot area of 62,373 square feet, located at 1700-1740 17th Street and 1415 16th Street (Assessor's Block 3955, Lot 002) in San Francisco for the San Francisco Police Department. (Real Estate Department)
(Fiscal Impact.)

Enacted Number: 453-08

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Noes: 3 - Ammiano, Maxwell, McGoldrick

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to rescind the previous vote and re-refer this matter to Committee.
Motion to rescind the previous vote and re-refer the matter to Committee failed by the following vote:
Ayes: 4 - Ammiano, Maxwell, McGoldrick, Mirkarimi,
Noes: 7 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Peskin, Sandoval

081168 [Agreement with PRWT Services, Inc. for Citation Processing Services]

Resolution authorizing a five year agreement, with option to renew for up to an additional five years, with PRWT Services, Inc. for an amount not to exceed $53,475,441. (Municipal Transportation Agency)
(Fiscal Impact.)

Enacted Number: 438-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081186 [Accept-Expend Regional Grant, Airport Commission - $1,399,709.57] **Supervisor Alioto-Pier**

Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling $1,399,709.57 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles and emissions control equipment by Airport transportation operators.

Enacted Number: 445-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081188 [Approval of Port Lease for Portco, Inc. at 360 Jefferson Street, Fisherman's Wharf] **Mayor**

Resolution approving Port Commission Lease No. L-14564 with Portco, Inc, for a ten (10) year term and one five (5) year extension option for certain real property located at 360 Jefferson in the Fisherman's Wharf area of the City and County of San Francisco.

Enacted Number: 436-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081194 [Supporting Goals for Federal Funding-Community **Supervisor McGoldrick**

Development Block Grant]

Resolution supporting Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Action Plan Goals.

Enacted Number: 443-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081201 **[Contract between the Department of Public Health and SF Community Health Authority to provide universal health insurance services for SF children and young adults - $19,486,273]** **Mayor**

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to enter into a contract amendment between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 18 and young parents aged 19 through 24 for the new period of July 1, 2007 through June 30, 2009 in the amount of $19,486,273.

(Fiscal Impact.)

Enacted Number: 442-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081253 **[Single Family Housing Bond REO and Refinance program]** **Mayor, Supervisors Maxwell, McGoldrick, Chu**

Resolution authorizing an application by the Mayor's Office of Housing to the California Debt Limit Allocation Committee to permit the issuance of Single Family Housing Bonds in an aggregate amount not to exceed $10,115,243 to enable the purchase of Real Estate Owned (REO) single family units by low and moderate income households and the refinance of subprime and adjustable rate mortgages (ARM) to 30 and 40 year amortized fixed mortgages for low and moderate income households in single family homes.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 451-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081256 **[Accept and Expend Grant - Office of Language Services - $40,000]** **Supervisors McGoldrick, Chu**

Resolution retroactively authorizing the Office of Language Services to accept and expend grant funds in the amount of $40,000 from the Zellerbach Family Foundation to create a pilot program to expand the organizational capacity of the City's law enforcement, criminal justice, and emergency management agencies to meet the cultural and linguistic needs of limited English proficient victims of domestic violence.

Supervisor Chu requested to be added as a co-sponsor.

Enacted 435-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

081086 **[Public Works Code - annual right-of-way occupancy assessment fee for driveways]** **Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the

portion of an automobile runway (driveway) that requires modification to the public right-of-way; and making environmental findings.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued as amended to November 18, 2008.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

080954 **[Planning Code - Amending Article 11 Designation of 690 Market Street]** — **Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated-Category V" to "Significant-Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Continued to October 28, 2008

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081216 **[Reward for Information about underpayment of property tax]** **Supervisor McGoldrick**

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

Supervisor McGoldrick requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081228 **[Appropriating $498,304 General Fund Reserve for Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]** **Supervisor Ammiano**

Ordinance appropriating $498,304 from the General Fund Reserve for high risk youth violence prevention

and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009. (Fiscal Impact.)

File 081228 was duplicated. File 081321 was referred to the Public Safety Committee.
File 081228 was continued to November 4, 2008.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081321 **[Appropriating $498,304 General Fund Reserve for Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]** **Supervisor Ammiano**

Ordinance appropriating $498,304 from the General Fund Reserve for high risk youth violence prevention and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009. (Fiscal Impact.)

REFERRED to the Public Safety Committee.

Recommendations of the Land Use and Economic Development Committee

080883 **[Zoning Map - Creating the New Mission-Harrington Special Use District]**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081161 **[Mission Bay North-Acceptance of Land and Improvements for Block N2]**

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081052 [Street Encroachment, Various Locations] **Supervisor Peskin**

Resolution granting revocable permission to Fisherman's Wharf Community Benefit District to occupy a portion of the public right-of-way to install and maintain a way-finding sign (a total of 10 signs) at the following locations: a) on the north side of Beach Street between Powell and Mason Streets, b)

on the north side of Beach Street between Mason and Taylor Streets, c) on the north side of Beach Street between Jones and Leavenworth Streets, d) on the north side of Beach Street between Leavenworth and Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west side of Taylor Street between Jefferson and Beach Streets, g) on the west side of Taylor Street between Beach and North Point Streets, h) on the west side of Taylor Street between North Point and Bay Streets, i) on the east side of Leavenworth Street between Jefferson and Beach Streets, and j) on the east side of Hyde Street between Beach and North Point Streets conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Enacted Number: 434-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

080436 **[Authorizing the passthrough from landlord to residential** **Supervisors Alioto-Pier,**

tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water] **Chu, Elsbernd**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

Continued to October 28, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick

Noes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

Supervisor Chu Excused from Voting

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Chu, at her request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080884 **[Appointment, San Francisco Children and Families First Commission - Supervisor Carmen Chu]** — **Supervisor Peskin**

Resolution appointing Supervisor Carmen Chu, term indefinite, to the San Francisco Children and Families First Commission.

Enacted Number: 433-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Chu

Board of Supervisors Sitting as a Committee of the Whole

081301 **[Committee of the Whole - Hearing on the impacts of the economic crisis on San** — **Supervisors Peskin, Elsbernd,**

Francisco and the development of a blueprint for economic recovery]	**Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano**

Hearing to consider the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

Ben Rosenfield, Controller, Ted Egan, Economic Analyst, Nadia Sesay, Director, Public Finance, Ben Kutnick, Airport representative, Clare Murphy, Executive Director, Employees' Retirement System, Michael Cohen, Director, Office of Economic and Workforce Development and Joe Delassandro, Convention and Visitor's Bureau reviewed with the Board impacts of the economic crisis in San Francisco.

Speakers

Robert Haaland expressed concern with the economic crisis

Female speaker expressed concern with the economic crisis

Linda Mjellen, Union Square Association; expressed concern with the economic crisis and the need for increase tourism

Steve Faulk, Chamber of Commerce; expressed concern with the economic crisis and the need for increased tourism

Jim Lazarus, Chamber of Commerce; expressed concern with the economic crisis and the need for increased tourism

JT, Fine Arts Museum; expressed concern with the economic crisis and the need for increased tourism
Andrew Wood, SF Arts Festival; expressed concern with the economic crisis the need for increased tourism
Michael Fong, SF General Hospital Institutional Police Officer; expressed concern with budget cuts
Mr. Kashmeri, SF General Hospital worker; expressed concern with budget cuts
John Jenkel; expressed concern with the economic crisis and budget cuts due to the war in Iraq
Diane Acevedo; shared information relating to housing possibilities
The President declared the public hearing closed.
Heard at public hearing.

FILED.

SPECIAL ORDER 3:00 P.M.

081291 **[Hearing - Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]** **Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the

purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Board members. Olson Lee, Executive Director of the Redevelopment Agency, reviewed with the Board its recommendations.
The President declared the public hearing closed. Heard at public hearing.

FILED by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

081292 **[Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]** **Supervisor Daly**

Resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San Francisco to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

Enacted Number: 446-08

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 2 - Alioto-Pier, Sandoval

081293 **[Hearing - Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]** **Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Board members. Olson Lee, Executive Director of the Redevelopment Agency, reviewed with the Board its recommendations.

The President declared the public hearing closed. Heard at public hearing.

FILED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

081294 **[Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]** **Supervisor Daly**

Resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

Enacted Number: 449-08

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

081295 **[Hearing - Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]** **Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose developing housing for very low income senior households.

The President inquired as to whether any member of the public wished to address the Board members. Olson Lee, Executive Director of the Redevelopment Agency, reviewed with the Board its recommendations.
The President declared the public hearing closed. Heard at public hearing.

FILED by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

081296 **[Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]** **Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75

years for the purpose of developing housing for very low income senior households.

Enacted Number: 448-08

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 2 - Alioto-Pier, Sandoval

081297 **[Hearing - Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]** **Supervisor Mirkarimi**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

The President inquired as to whether any member of the public wished to address the Board members. Olson Lee, Executive Director of the Redevelopment Agency, reviewed with the Board its recommendations.

The President declared the public hearing closed.
Heard at public hearing.

FILED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

081298 **[Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]** **Supervisor Mirkarimi**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

Enacted Number: 447-08

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Chu introduced, welcomed and presented a Certificate of Honor to Shannon Rowbury in recognition of the medal she won at the Summer Olympics.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of

the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed; expressed concern with issues relating to the Iraq War
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter Paulson; expressed in song various issues in the City and County of San Francisco
Richard McRee; expressed concern with issues relating to his patent for Sigmund Stern Grove
John Di Donna; expressed concern with issues relating to the Republican party
Peter Warfield; expressed concern with issues relating to a potential SF Public Library bond
Mark Trout; expressed concern with issues relating to Proposition 8
Female speaker; expressed concern with issues relating to a flyer from the Real Estate Board relating to Supervisorial candidates
Robert Haaland; expressed concern with issues relating to mid-year budget cuts

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081300 **[Committee of the Whole - October 21, 2008 regarding the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]** **Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

Enacted Number: M08-158
APPROVED

081302 **[International Credit Union Day - October 16, 2008]** **Supervisor Peskin**

Resolution declaring October 16, 2008 International Credit Union Day in San Francisco.

Enacted 440-08
Number:
ADOPTED

081303 **[Grant funds to support worker health and safety - $32,249]** **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $32,249 from the Chinese Progressive Association for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of August 1, 2008 through July 31, 2010.

Enacted 441-08
Number:
ADOPTED

081304 **[State grant to support the High Risk (Pest Exclusion) program - $44,195]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $44,195 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2008 through June 30, 2009.

Enacted 439-08
Number:
ADOPTED

081305 **[Landmark designation nomination for the California Buckeye tree located behind 757 Pennsylvania Street]** **Supervisor Maxwell**

Resolution of intent initiating the nomination of the California Buckeye tree (Aesculus Californica) located behind 757 Pennsylvania Street, (Assessor's Bock 416B, Lot 11) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Enacted Number: 431-08
ADOPTED

081306 **[Commending Jazzie Collins]** **Supervisor Daly**

Resolution recognizing Jazzie Collins for her dedication and leadership in improving conditions for SoMa residents and those of San Francisco's diverse communities.

Enacted Number: 450-08
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081328 **[Recreation and Park Department - Marina Small Craft Harbor Fees]** **Supervisor Alioto-Pier**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations. 10/21/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/20/2008. 11/04/08 - Referred to Planning for determination of environmental impact. 11/4/08 - Referred to the Small Business Commission and the Recreation and Park Dept. for review and comment. Fee ad placed in the SF Chronicle for the November 19, 2008 Budget and Finance meeting. 11/12/08 - Response recieved from Planning, exempt fro CEQA. 11/13/08 - The 30-day rule was waived.

081332 **[Zoning - Mission District Housing and PDR Replacement Program]** **Supervisor Maxwell**

Ordinance amending the Planning Code to add Section 319.5 to adopt specified affordable housing requirements in the UMU zone within the Mission Plan Area, in RTO-Mission, and in the Valencia Street, 24th and Mission Streets, and the Mission Street NCTs, including in-lieu affordable housing fees; adding Section 231.1 to establish a PDR replacement program, including an in-lieu PDR Replacement fee, in these same zones; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Economic Impact.)

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 10/31/08 - Submitted fee ad for publication on 11/3 and 11/10/08.

081333 **[Zoning - SoMa Youth and Family Zone Special Use Districts]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Zone Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on

the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)
10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 10/31/08 - Submitted fee ad for publication on 11/3 and 11/10/08.

081334 **[Zoning - Potrero Center Mixed-Use Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 10/31/08 - Submitted fee ad for publication on 11/3 and 11/10/08.

081335 **[Summary Vacation of Public Utility Easements at the intersection of Crescent Way and Executive Park Boulevard]** **Supervisor Maxwell**

Ordinance ordering the summary vacation of unused and unnecessary public utility easements located at the intersection of Cresent Way and Executive Park Boulevard in San Francisco (within Assessor's Block 4991); making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated public utility easements to Top Vision Development, LLC; and authorizing other actions in furtherance of this Ordinance.

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081337 **[Pre-Tax Bicycle Commuting Benefits]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by amending Section 421 to add the option of qualified bicycle commuting reimbursements to the tax free commuter benefits San Francisco employers are required to offer under existing law; and making environmental findings.

10/21/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on

11/20/2008. 11/5/08 - Referred to Planning for determination of environmental impact.

081339 **[Zoning - Publicly-owned properties in the Eastern Neighborhoods]** **Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081340 **[Amending Administrative, Police, Public Works, Business & Tax and Transportation Codes, to conform to the 11/06/2007 Proposition on Transit Reform, Parking Enforcement and Emissions Reduction]** **Supervisor Peskin**

Ordinance amending San Francisco Administrative Code Sections 2A.81, 5.20, 5.130-5.132, Chapter 17, and repealing Administrative Code Sections 2A.180 and 10.150-10.151; amending San Francisco Police Code Sections 386, 835-839, 939, 1054, 1076, 1175-1180, 3057, 3910, adding Police Code

Sections 835.1-835.2, 939.1-939.6, 975.1-975.5, and repealing Police Code Sections 710.2, 1166, 1170-1171, and Article 16, Division IX; amending San Francisco Public Works Code Sections 2.4.3 and 724.4, and repealing Section 701; repealing San Francisco Business & Tax Code Sections 1.11-1.14 and 129.2-129.5; repealing and re-enacting San Francisco Transportation Code Division 1, to conform those sections to the 11/06/2007 Proposition on Transit Reform, Parking Regulation, and Emissions Reduction.

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081342 **[Planning Code-Amending Articles 10 and 11, Contingent on Voter Approval of Proposed Charter Amendment Creating an Historic Preservation Commission]** **Mayor**

Ordinance amending Articles 10 and 11 and adding a new Section 309.3 of the Planning Code, contingent on voter approval in the November 4, 2008 general election of the proposed Charter amendment Creating an Historic Preservation Commission, to provide additional criteria for Planning Commission review of Historic Preservation Commission decisions, to provide for Section 309 review of certain projects requiring Certificates of Appropriateness under Article 10 of the Planning Code, and to create a rebuttable presumption of

compatibility for certain projects requiring Certificates of Appropriateness under Article 10 of the Planning Code; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081343 **[Appropriating $34,755,000 of bond sale proceeds and Library Preservation Fund balance for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009]** **Mayor**

Ordinance appropriating $34,755,000 of bond sale proceeds, unappropriated fund balance and unappropriated general reserve for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009. Place on Controller's Reserve $33,955,000 of the bond sale proceeds pending sale of the bond.

(Fiscal Impact.)

10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081344 **[Appropriating $13,222,746 of State Proposition 1B Revenue for Street Resurfacing Projects in the Department of Public** **Mayor, Supervisor Elsbernd**

Works for Fiscal Year 2008-2009]

Ordinance appropriating $13,222,746 of FY 2008-09 State Proposition 1B Local Streets and Roads Improvement funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the funds to implement road maintenance and resurfacing projects at various locations. (Fiscal Impact.)

10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081345 [Lease Financing for Library Projects] Mayor

Ordinance approving the issuance and sale of lease revenue bonds to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an

Official Notice of Sale and a Notice of Intention to Sell the lease revenue bonds; directing the publication of the Notice of Intention to Sell the lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue bonds; approving the form of an Official Statement in preliminary and final form and directing the Controller to return to the Board at a later date with a revised official statement; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue bonds; approving modifications to documents; adopting findings under the California Environmental Quality Act ("CEQA") and findings pursuant to City Planning Code Section 101.1 and City Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)
10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080379 **[Regulating the conditions for purchasing prior public service credit through the Retirement System]** **Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow

miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

3/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 3/24/08 - Sent referral letter to the Retirement System.

8/22/08, FILED PURSUANT TO RULE 5.37.

10/7/08, ASSIGNED to Government Audit and Oversight Committee.

10/7/08, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Elsbernd requested this matter be reactivated. 10/14/08 - Transmitted to the Employees' Retirement System for review. 10/20/08 - Response received from Employees' Retirement System.

10/21/08, ASSIGNED to Government Audit and Oversight Committee.

10/21/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

Resolutions

081326 **[Airport grant - Accept-Expend State grant - $139,462.72]** **Supervisor Alioto-Pier**

Resolution authorizing the Airport Commission to retroactively accept and expend funding totaling $139,462.72 from the State of California 9-1-1 Emergency Communications Office for the San Francisco International Airport (SFO) Communications 9-1-1 Phone Upgrade project.
10/21/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081327 **[Preserving the Francisco Reservoir as public recreation and open space]** **Supervisor Alioto-Pier**

Resolution declaring the policy of the Board of Supervisors to maintain the Francisco Reservoir as open space and urging the San Francisco Public Utilities Commission, in light of the General Plan designating the property as such, to preserve the property for public recreation and open space.
10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081329 **[Recreation and Park Department - Marina Small Craft Harbor Loan]** **Supervisor Alioto-Pier**

Resolution accepting a loan (the "Loan") from the State of California acting through its Department of

Boating and Waterways (the "State") and approving the form of a loan agreement by and between the City and County of San Francisco (the "City") and the State (the "Loan Agreement"); granting general authority to City officials to take certain actions in connection with the Loan and the Loan Agreement; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081330 **[Adopting the United Nations Convention on the Rights of the Child]** **Supervisor Alioto-Pier**

Resolution urging the Board of Supervisors to adopt the United Nations Convention on the Rights of the Child and supporting its inalienable freedoms for children and youth in San Francisco.

10/21/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081336 **[Accept and Expend grant funds to support a juvenile mental health program - $200,000]** **Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $200,000 from the United States Department of Justice, for a project entitled "AIIM Higher," for the period of September 1, 2008 through August 31, 2010.

10/21/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081338 **[Declaration of Intention to form the Tourism Improvement District]** **Mayor, Supervisors Peskin, Maxwell**

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

10/21/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 10/30/08 - Notice of public hearing for December 16, 2008 was sent to be published on November 1 and 8, 2008.

081341 **[Accept-Expend State Grant for Jefferson Street Redesign/Bay Trail Feasibility Study - $30,000]** **Supervisor Peskin**

Resolution authorizing the Planning Department to retroactively accept and expend up to $30,000 from the Association of Bay Area Government for Jefferson Street Redesign/Bay Trail Feasibility Study for FY2008-2009.

10/21/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081347 **[Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"]** **Supervisor Mirkarimi**

Resolution commending Doctors Without Borders/M,decins Sans FrontiŠres for producing the interactive exhibit "A Refugee Camp in the Heart of the City."

10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081348 **[Urging reducing exposure to Bisphenol A]** **Supervisors Alioto-Pier, Dufty, Chu**

Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.
10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan] **Supervisor Alioto-Pier**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").
10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081350 [Hostelling International Day - October 26, 2008] **Supervisor Peskin**

Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.
10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081351 [Small Business Fee Survey and Freeze - Feasibility Study] **Supervisors Peskin, Maxwell, Chu**

Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.

10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081248 [Changing the name of Rowland Street in North Beach to Dirk Dirksen Street] **Supervisor Ammiano**

Resolution changing the name of Rowland Street on Broadway in North Beach to "Dirk Dirksen Alley," in recognition of Dirk Dirksen, who will be remembered as one of the most important figures in the musical and cultural history of San Francisco; and authorizing initiation of the process to install a commemorative plaque on said street.

9/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/17/08, RESPONSE RECEIVED. Parking and Traffic Department has no objections.

10/17/08, REFERRED TO DEPARTMENT. Referred to Public Works, Parking and Traffic, Police Department and Fire Department for review and recommendation.

10/20/08, RESPONSE RECEIVED. Fire Department has no objections, however, when passed

recommend Division of Emergency Communications be notified so that Computer Assisted Dispatch System can be updated.

10/21/08, SUBSTITUTED.

10/21/08, RESPONSE RECEIVED. Department of Public Works has no issues with the proposed renaming.

10/21/08, ASSIGNED to Rules Committee.

Requests for Hearing

081322 [Regional CO2 Emissions Targets (SB375)] **Supervisor Daly**

Hearing on Regional CO2 Emissions Targets (SB375).

10/21/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081323 [Status Report of the Western SoMa Citizens Planning Task Force] **Supervisor Maxwell**

Hearing on the Work of the Western SoMa Citizens Planning Task Force.

10/21/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081324 [Monthly Overtime Report] **Supervisor McGoldrick**

Hearing on Monthly Overtime Report (Administrative Code Section 18.13-1), discussing the five City

departments using the most overtime in the preceding month.
10/21/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081325 **[Leases/permits between third parties and City departments]** **Supervisor McGoldrick**
Hearing on number, location, and effective date of, and reasons for leases or permits between third parties and City departments which are month to month, with responses from Department of Recreation and Park, Department of Real Estate and the San Francisco Port.
10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

081352 **[Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election]** **Supervisor Peskin**
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.
10/21/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

081331 [Election Campaign Fund] **Supervisor Daly**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 15.108 to establish an Election Campaign Fund and require annual appropriations.

10/21/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2008.

PROPOSED ORDINANCES

081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - $380,000]

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for $380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al. (City Attorney) (Supervisor Daly dissented in committee.)

10/10/08, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Ammiano
To: Director, Mayor's Office of Finance
Requesting/Inquiring: Rather than proposing a run of the mill trickle down stimulus package to ensure the continued viability of our local economy, why not one that trickles up? An Earned Income Tax Credit that cuts them a check for up to $4,000 for families making less than $42,000 a year and qualifying even if they pay no taxes- it's not a tax refund it's a credit. Families can now get this credit under a program call Advance Earned Income Tax Credit (AEITC). It's a better stimulus idea because the money is available for working families immediately, before the holidays. Importantly, these folks, at this time of year, are the most likely to turn around and spend it in our local economy, not like the beneficiaries of trickle down stimulus packages who are more likely to spend it on that trip or that real estate development in Hawaii. Stimulus proposals too often ignore workers, or in the latest incarnation even middle class people, except as a marginal group who may or may not benefit from the knock on effects of a conventional stimulus package. The IRS runs the Advance Earned Income Tax Credit (AEITC) program, and to what extent this concept could be applied to, or incorporated within, any local stimulus package on the table is worth investigating.
From: Supervisor Elsbernd

To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation implementing the following goals:

1. If a proposed project is located within the area covered by the 19th Avenue Interim Controls and in an area covered by Section 311 (residential zones) or Section 312 (neighborhood commercial zones) and would otherwise require a mailed notice, notice and plans shall be mailed to both property owners and tenants at least 30 days before the Conditional Use hearing. The Radius for notices shall be the same as for a Conditional Use.

2. At a hearing at which a Conditional Use is approved, the Planning Commission shall schedule a hearing on the status of construction or operations under the Conditional Use three years from the date of approval, or such other time limit imposed by the Commission for taking out a permit or commencement of operations.

1. The Zoning Administrator shall cancel the later hearing if the project is under construction or if the project is operational within the relevant time period.

2. If construction is not underway and the project is not operational, the possible revocation of the Conditional Use shall also be placed on the Commission agenda at the time of the hearing.
From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Municipal Transportation Agency investigate the possibility of installing a stop sign at 16th Avenue and Wawona Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti at the following private property locations:
55 Laguna (Haight Street side)
435 Webster
485 Haight
593 Haight
681 Haight
1584 Haight
508 Clayton
541 Haight
173 Haight
482 Haight
543 Page
799 Haight
160 Pierce
445 Scott
1114 Oak
539 Waller
480 Grove
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
On Post between Fillmore and Webster, across from the Kabuki Theaters
Northwest corner of Buchanan and Hermann
Northeast corner of Oak and Buchanan

Metal Poles
Southwest corner of Masonic and Haight
Northwest corner of Scott and Haight
Southwest corner of Pierce and Haight
Southeast corner of Hayes and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes
Southwest corner of Grove and Fillmore
Northwest corner of McAllister and Fell
Southwest corner of Grove and Buchanan
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Southeast corner of Haight and Octavia (2 boxes)
Southeast corner of Buchanan and Linden
Northeast corner of Oak and Webster
Northeast corner of Post and Baker
Southwest corner of Divisadero and Fell (near Sprint Gas Station)
Northeast corner of Turk and Broderick
Northeast corner of Oak and Fillmore
Bus Shelters
Southwest corner of Buchanan and Haight

Northwest corner of Haight and Fillmore
500 block of Fillmore
All bus shelters on Haight and Fillmore need power washing
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
Clayton and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the following locations:
Garbage Cans
Southeast and Northwest corner of Haight and Fillmore
Northwest corner of Buchanan and Fell
Northwest corner of Golden Gate and Webster
Northeast corner of Hayes and Clayton
Northeast corner of Grove and Fillmore
Southwest corner of McAllister and Fillmore
Northwest corner of Baker and Haight
Southwest corner of of Buena Vista West
Southeast corner of Buena Vista East
Northeast corner of Haight and Buchanan
Mailboxes
Southwest corner of Haight and Masonic
Northeast corner of Fell and Laguna
Southwest corner of Turk and Central
Northeast corner of Broderick and Turk
Southeast corner of Golden Gate and Broderick
Fire Hydrant
In front of 597 Haight

In Memoriams

Reverend William C. Howard - Entire Board
Owen Christopher Moscone - Entire Board

Robbie L. Floyd - Supervisor Sandoval
Tony Vaughan - Supervisor Peskin
Shirley Sidd - Supervisor Peskin
Honorable John Joseph Conway - Supervisor Peskin
Lupe Urbina- Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:13 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on November 18, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the

meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of

the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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October 28, 2008

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MEETING MINUTES

Tuesday, October 28, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

ROLL CALL AND PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081160 **[Appropriating $86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]** **Supervisor McGoldrick**

Ordinance appropriating $86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor)

(Fiscal Impact.)

Enacted Number: 247-08

FINALLY PASSED

081226 **[Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of the Environment to accept and expend a grant up to the

amount of $210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Enacted 252-08
Number:
FINALLY PASSED

081197 [Transfer of Real Property - 575 Polk Street] **Mayor**

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to $323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Enacted 249-08
Number:
FINALLY PASSED

081198 [Transfer of Real Property - 400 McAllister Street] **Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court

facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to $955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Enacted 250-08
Number:
FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

081216 **[Reward for Information about underpayment of property tax]** **Supervisor McGoldrick**

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

Enacted 251-08
Number:
FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

080883 **[Zoning Map - Creating the New Mission-Harrington Special Use** **Supervisor Sandoval**

District]

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted Number: 253-08

FINALLY PASSED

081161 [Mission Bay North-Acceptance of Land and Improvements for Block N2]

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition

facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)

Enacted Number: 248-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

081085 [Public Employment - Office of the Public Defender] **Supervisor McGoldrick**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).
(Supervisor Elsbernd dissented in committee.)
(Fiscal Impact.)

Enacted Number: 246-08

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 4 - Alioto-Pier, Chu, Elsbernd, Peskin

Recommendation of the Government Audit and Oversight Committee

080954 [Planning Code - Amending Article 11 Designation of 690 Market Street] **Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated-Category V" to "Significant-Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

080436 **[Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1,** **Supervisors Alioto-Pier, Chu, Elsbernd**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

Continued to November 18, 2008

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Noes: 5 - Ammiano, Daly, McGoldrick, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081217 **[Approval of three contracts for the Department of Public Health]**

Resolution retroactively authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 through June 30, 2013. (Public Health Department)

(Fiscal Impact.)

Enacted Number: 460-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081264 **[Agreement to Purchase Property in Tuolumne County -**

$70,000]

Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of $70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Enacted Number: 454-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco] **Supervisor McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City

and County of San Francisco.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards] **Supervisor Alioto-Pier**

Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

Enacted Number: 459-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave] **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]

Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law. (Treasure Island Development Authority)

Enacted Number: 456-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081004 **[Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor]** **Supervisor Elsbernd**

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

Enacted 457-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081005 **[19th Avenue Cumulative** **Supervisors**

Impact Study] **Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

Enacted 458-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081281 **[Application to Amend San Francisco's Priority Development Area Designation]** **Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

Enacted 455-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081118 **[Administrative Code - Community Preservation and Blight Reduction Act]** **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano was noted absent at 2:25 p.m.

081191 **[Opposing renewal of wastewater discharge permit** **Supervisors Maxwell, Dufty,**

for Potrero Power Plant Unit 3] Peskin, Daly, McGoldrick

Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.

Enacted Number: 465-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 4:00 P.M.

070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files

070968, 070969; District 5.)

The President informed the Board members that the property owner had withdrawn the permit application for a sidewalk encroachment.

File Nos. 070967, 070968, 070969 were removed from the Board agenda.

FILED.

COMMITTEE REPORTS

081338 **[Declaration of Intention to form the Tourism Improvement District]** **Mayor, Supervisors Peskin, Maxwell**

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

Enacted 430-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

081010 **[Building - Ban on Wooden Fixed Utility Ladder]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080281 **[Building Code - Slope Protection Act]** **Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee

for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

081309 [Appointment, Taxi Commission - Arthur Tom]

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds

vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

Enacted Number: M08-160

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

081310 [Appointment, Taxi Commission - Arthur Tom]

Motion rejecting the Mayor's appointment of Arthur Tom to the Taxi Commission for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

081311 [Appointment, Taxi Commission - Arthur Tom]

Motion taking no position concerning the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

080935 [Urging SFUSD to reconsider current school assignment system] **Supervisors Chu, Alioto-Pier**

Resolution urging the San Francisco Unified School

District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.
(Supervisor McGoldrick dissenting in Committee.)

NOT ADOPTED by the following vote:
Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval
Noes: 5 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public

who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Supervisor McGoldrick was noted absent at 2:50 p.m.

Abdullah Megaheed; expressed concern with issues relating to President Bush

James Chaffee; expressed concern with issues relating to the SF Public Library

Richard McRee; expressed concern with issues relating to his name on the Board minutes and the timing for public comment and his patent design for Sigmund Stern Grove

Walter; shared in song certain memorablia with the Board members

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081347 **[Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"]** **Supervisor Mirkarimi**

Resolution commending Doctors Without Borders/M,decins Sans FrontiŠres for producing the interactive exhibit "A Refugee Camp in the Heart of

the City."

Enacted Number: 461-08

ADOPTED

081348 **[Urging reducing exposure to Bisphenol A]** **Supervisors Alioto-Pier, Dufty, Chu**

Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.

Enacted Number: 462-08

ADOPTED

081350 **[Hostelling International Day - October 26, 2008]** **Supervisor Peskin**

Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.

Enacted Number: 463-08

ADOPTED

081351 **[Small Business Fee Survey and Freeze - Feasibility Study]** **Supervisors Peskin, Maxwell, Chu**

Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 464-08

ADOPTED

081352 **[Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election]** **Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

Enacted Number: M08-161

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Ammiano, McGoldrick

Severed from the Adoption Without Reference Committee Agenda

Supervisor Alioto-Pier requested that ths matter be severed so that it might be considered separately.

081349 **[Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]** **Supervisor Alioto-Pier**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

Continued to November 4, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Ammiano, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081376 **[Municipal Identification Cards]** **Supervisor Ammiano**

Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081377 **[Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance]** **Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081380 **[Zoning -Urgency Ordinance Imposing an Interim Zoning Moratorium on Tobacco Paraphernalia Establishments in the Haight Street Neighborhood Commercial District]** **Supervisor Mirkarimi**

Urgency Ordinance imposing an interim zoning moratorium to temporarily prohibit new Tobacco Paraphernalia Establishments, as defined, subject to

specified exceptions, in the Haight Street Neighborhood Commercial District and in all properties zoned NC-1 (Neighborhood Commercial Cluster District) and NC-2 (Small-Scale Neighborhood Commercial District) along Haight Street, for 45 days, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

10/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer] — **Supervisor Peskin**

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/4/08 Transmitted to Taxi Commission for review and comment.

080323 [Place of Entertainment Permits and Board of Appeals procedures] — **Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.30, 1060.31, 1060.32 and 1060.33, by repealing Sections 1060.4, 1060.20 and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.) (Referred to Small Business Commission for comment and recommendation.)

6/3/08, RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

10/28/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08, ASSIGNED to City Operations and Neighborhood Services Committee.

080324 [Entertainment Commission - Extended-Hours Premises Permits] **Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1070.28, 1070.29, 1070.30, 1070.31 and 1070.32; by repealing Sections 1070.4, 1070.12, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.) (Referred to Small Business Commission for comment and recommendation.)

6/3/08, RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

10/28/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

081382 **[Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]** **Supervisors Mirkarimi, Daly**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

10/28/08, RECEIVED AND ASSIGNED to Board of Supervisors.

081384 **[Transfer of Responsibilities for Mayor Court Facilities]**

Resolution authorizing the transfer of responsibilities for the court facilities at 375 Woodside Avenue and 850 Bryant Street and the agreement to make ongoing payments of fixed court facility payments following such transfers to the State of California equal to $78,275 per year, adjusted by an inflation index, for 375 Woodside Avenue and $888,331 per

year, adjusted by an inflation index, for 850 Bryant Street.
(Fiscal Impact.)
10/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081385 **[Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal** — **Mayor**

Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009.
10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081386 **[Accept and Expend Gift - Excelsior Youth Center - $50,000]** — **Supervisor McGoldrick**

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a gift from Macy's West, Inc. in the amount of $50,000 for operations and programming at the Youth Center in the Excelsior District.

10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081387 **[Market and Octavia Community Advisory Committee]** **Supervisor Mirkarimi**

Resolution establishing the Market and Octavia Community Advisory Committee according to Planning Code Section 341.5.

10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

081374 **[Candlestick Point and Hunters Point Shipyard Phase 2 Revitalization Project]** **Supervisor Maxwell**

Hearing on the Candlestick Point and Hunters Point Shipyard Phase 2 Revitalization Project. Informational hearing, which will include presentations by the Office of Economic and Workforce Development staff and project sponsors, on the status of the joint development project including the draft financing plan for the Hunters Point Shipyard Phase 2 and Candlestick Point areas.

10/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081375 [Tourism Improvement District] **Supervisor Peskin**

Hearing to conduct a public meeting on the proposed establishment of the Tourism Improvement District and the levy and collection of assessments starting January 1, 2009 and continuing through December 31, 2023, to be held November 17, 2008.
(Economic Impact.)
10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081381 [Hearing - Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.
10/28/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on November 18, 2008 at

3:00 p.m.

PROPOSED ORDINANCES

081275 **[Summary Vacation of Stevenson Street between 8th and 9th Streets]**

Ordinance ordering the summary vacation of Stevenson Street between 8th and 9th Streets; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance. (Real Estate Department)

10/20/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081346 **[Approving Contract for Security Services - $19,326,260]**

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed $20,215,000 and also providing

that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)
(Fiscal Impact.)
10/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081356 [Zoning Map Amendment - Assessor's Block 6753, Lot 063]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the entire area of Assessor's Lot No. 063 in Block 6753 from P (Public) to RH-2 (Residential, House Districts, Two-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)
9/30/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/27/2008.

PROPOSED RESOLUTIONS

081219 [Gift - private, Department of Public Health, Community Behavioral Health Services - $800,000]

Resolution authorizing the Department of Public

Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to $800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

10/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act. (Real Estate Department)

10/20/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to require low flush toilets and/or other water saving devices upon transfer of property.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti at the following private property locations:
55 Laguna (Haight Street side)
437 Webster
301 Webster
445 Webster
480 Grove
430 Baker
501 Fillmore
799 Haight
Korean Center @ Buchanan and Grove
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
Northeast corner of Baker and Hayes
Northwest corner of Pierce and Page
Northeast corner of Buchanan and Page
Metal Poles
Northeast corner of Laguna and Haight
136 Haight
Southwest corner of Buchanan and Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the following locations:
Garbage Cans
Southeast & Northwest corner of Haight and Fillmore
Southwest corner of Grove and Buchanan
Southwest corner of Haight and Buchanan
Mailboxes
Southwest corner of Baker and Golden Gate
Fire Hydrant
In front of 597 Haight
Northwest corner of Hayes and Buchanan
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Northeast corner of Buchanan and

In Memoriams

Jim Armstrong - Supervisor Dufty
Harold "Bud" Moose - Supervisor Peskin
Dorothy Miner - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 2:58 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on November 25, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr.

Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening

devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City

operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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MEETING MINUTES

Tuesday, November 4, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor Maxwell was noted absent. There was a quorum present.
Supervisor Maxwell was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of September 23, 2008. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

081193 **[Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

Enacted Number: 254-08
FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

080954 **[Planning Code - Amending** **Supervisor**

Article 11 Designation of 690 Market Street] **Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated-Category V" to "Significant-Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Enacted Number: 259-08

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

081010 **[Building - Ban on Wooden Fixed Utility Ladder]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

Enacted Number: 255-08

FINALLY PASSED

080349 **[Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave]** **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning

Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted Number: 257-08
FINALLY PASSED

081118 **[Administrative Code - Community Preservation and Blight Reduction Act]** **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

Enacted Number: 256-08

FINALLY PASSED

080281 **[Building Code - Slope Protection Act]** **Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

Enacted 258-08
Number:
FINALLY PASSED

Recommendations of the Public Safety Committee

081072 **[Authorizing the Sheriff to execute contracts with the State and accept and expend funds associated with a Secure Reentry Program Facility]** **Supervisors Mirkarimi, Dufty**

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) and accept and expend funds associated with the contracts. The purpose of the contract is to establish a pilot San Francisco County Secure Reentry Program Facility (SRPF) that will provide up to 12 months of intensive, in-custody evidence based reentry programming which will address the offender's underlying employment, mental health and substance abuse issues. This will be followed by 12 months of accountability based out-of-custody reentry programming. (Sheriff)

Enacted Number: 470-08
ADOPTED

081271 **[Accept - Expend Federal grant, Port - $1,522,536]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the

amount of $1,522,536 from the Department of Homeland Security, Infrastructure Protection Program for security enhancements at the Port of San Francisco.

Enacted Number: 468-08
ADOPTED

081326 **[Airport grant - Accept-Expend State grant - $139,462.72]** **Supervisor Alioto-Pier**

Resolution authorizing the Airport Commission to retroactively accept and expend funding totaling $139,462.72 from the State of California 9-1-1 Emergency Communications Office for the San Francisco International Airport (SFO) Communications 9-1-1 Phone Upgrade project.

Enacted Number: 467-08
ADOPTED

Recommendations of the Rules Committee

081068 **[Settlement of City's Lawsuit Against Defendant EnCana Corp - $265,695.80]**

Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8,

2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $265,695.80 to the City from defendant EnCana Corp. (City Attorney)

PASSED ON FIRST READING

081165 [Settlement of Lawsuit - Twylah Sperka - $49,000]

Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for $49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

081166 [Settlement of Lawsuit - J. Hadley Louden - $35,000]

Ordinance authorizing settlement of the lawsuit filed by J. Hadley Louden against the City and County of San Francisco for $35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Louden v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006. (City Attorney)

PASSED ON FIRST READING

081205 [Settlement of Lawsuit, Gladys DeWitt - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for $50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.

PASSED, ON FIRST READING

081259 [Settlement of Lawsuit - Karen Douma - $1,695,100.00]

Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for $1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al. (City Attorney)

PASSED ON FIRST READING

081260 [Settlement of Lawsuit - James R. Figueroa - $65,000]

Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for $65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works. (City Attorney)

PASSED ON FIRST READING

081261 [Settlement of Lawsuit - Husam Sajjan - $100,000.00]

Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - $150,000.00]

Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for $150,000.00;

the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC. (City Attorney)

PASSED ON FIRST READING

081169 [Appointment, Graffiti Advisory Board, Jana Lord]

Motion appointing Jana Lord, term ending April 10, 2009, to the Graffiti Advisory Board, residency requirement waived.

Jana Lord, succeeding Alexander Mamak, resigned, seat 17, must represent contracting agency for Municipal Railway shelters, for unexpired portion of a two-year term ending April 10, 2009.

Enacted Number: M08-165

APPROVED

081274 [Appointment, Peak Oil

Preparedness Task Force, Benjamin Lowe]

Motion appointing Benjamin Lowe, term ending March 27, 2009, to the Peak Oil Preparedness Task Force.

Benjamin Lowe, succeeding Jan Lundberg, seat 4, resigned, must represent the public-at-large, for unexpired portion of two-year term ending March 27, 2009.

Enacted Number: M08-166

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

081228 [Appropriating $498,304 General Fund Reserve for **Supervisor Ammiano**

Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]

Ordinance appropriating $498,304 from the General Fund Reserve for high risk youth violence prevention and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009. (Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved to rescind the previous vote and continue this matter to November 18, 2008. Motion passed without objection.

080658 **[General advertising on City buildings and street furniture]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.
(9/16/08 - Supervisor McGoldrick submitted a substitute ordinance bearing new title.)

Continued to November 18, 2008

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

081231 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance]** **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 14B.8 to

direct the Human Rights Commission to assign numeric point values to the good faith outreach steps that bidders must undertake for all public work/construction, architect/engineering, professional service and general service contracts that exceed the minimum competitive amount or threshold amount.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081289 [Public Employment - Port of San Francisco (PRT)] **Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.50 FTE) Class 5502, Project Manager 1 at the Port of San Francisco (PRT).

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - $56,500,000]

Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of $56,500,000. (Airport Commission) (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081287 [Airport Refunding Bonds - $2,540,000,000] **Supervisor Peskin**

Resolution approving the issuance of up to $2,540,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; and approving certain related matters.
(Fiscal Impact.)

Enacted Number: 471-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080941 **[Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - $2,750,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for $2,750,000 and other consideration; the lawsuit was filed on December 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al. (Airport Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081265 **[Approval of the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program Implementation Plan]**

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program for Fiscal Year 2008-2009. (Public Health Department)

Enacted Number: 469-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

081058 **[Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]** **Supervisors Maxwell, Peskin**

Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081234 **[Zoning - Prohibiting Formula Retail Uses in the Chinatown Visitor Retail District and establishing a conditional use permit requirement for formula retail uses]** **Supervisor Peskin**

Ordinance amending the Planning Code by amending Section 803.6 to prohibit formula retail uses in the Chinatown Visitor Retail District, and to create a conditional use requirement for formula retail uses in the Chinatown Community Business District and the Chinatown Residential Neighborhood Commercial District; amending Section 803.2 to refer to this prohibition and conditional use requirement, and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(9/19/08 - Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee With Recommendation "Do Not Pass"

081015 **[Mirant Potrero Power Plant** **Mayor**

retrofit]

Resolution authorizing and directing the negotiation and execution of a memorandum of agreement relating to the retrofit of Potrero Power Plant Units 4, 5 and 6, the closure of all Potrero Power Plant generating units if and when such units are no longer needed for electric system reliability, and the reuse of the Potrero power Plant site upon such closure.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to rescind the previous vote and continue this matter to November 18, 2008. Motion to rescind the previous vote passed without objection.

061438 [Public Works Code - Sidewalk flower-vending stands] **Supervisor McGoldrick**

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify

application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

Continued to November 18, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

081119 [Noise Control Ordinance-Establishing Noise Task Force] **Supervisor Ammiano**

Ordinance amending the San Francisco Police Code by amending Sections 49, 2900, 2901, 2902, 2904, 2907, 2908, 2909, 2910, 2912, 2916, 2917, and 2918, repealing Sections 2903, 2906, 2911, 2913, 2914, 2915, and 2918, and adding new Sections

2912, 2920, 2922, 2924, and 2926, to revise the City's noise control regulations, add administrative penalties, and create a Noise Task Force.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

081190 **[Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]** **Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

Continued to November 18, 2008

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

081227 [Voting Systems Task Force] **Supervisor Ammiano**

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

081285 [Lobbyist Ordinance amendments to regulate permit lobbying] **Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning

Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Dufty

081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - $380,000]

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for $380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al. (City Attorney) (Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

081257 **[Confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency]** **Mayor**

Motion confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

Enacted Number: M08-167

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

081123 **[Hearing - Ordering vacation of the Ingleside Path]** **Supervisor Elsbernd**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that

such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

The President inquired as to whether any member of the public wished to address the Board members. There were none.

The President declared the public hearing closed.

FILED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

081120 **[Ordering vacation of the Ingleside Path]** **Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this

Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to suspend Board Rule No. 4.29 that the Recognition of Commendations be heard at 3:30 p.m.

Motion to suspend Board Rule 4.29 passed without objection.

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Former Board President Angela Alioto and to the members of the

Knights of St. Francis in recognition of their work on the Shrine for St. Francis of Assisi.

COMMITTEE REPORTS

081376 [Municipal Identification Cards] **Supervisor Ammiano**

Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

081377 [Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance] **Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080953 **[Approval of an historical property contract for 690 Market Street ("Chronicle Building")]** **Supervisor Peskin**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between RC Chronicle Building LP and 690 Market Master Association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.
(Fiscal Impact.)

Enacted Number: 472-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address

the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to President George Bush
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; expressed, in song, concern with general issues
Richard McRee; expressed concern with issues relating to time for public comment and his design and patent for Sigmund Stern Grove
John di Donna; expressed concern with issues relating to human rights
Dr. Porter; expressed concern with issues relating to environment in the Bayview Hunters Point area

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081385 **[Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009]** **Mayor**

Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009.

Enacted Number: 466-08
ADOPTED

081386 **[Accept and Expend Gift - Excelsior Youth Center - $50,000]** **Supervisor McGoldrick**

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a gift from Macy's West, Inc. in the amount of $50,000 for operations and programming at the Youth Center in the Excelsior District.

Enacted 473-08
Number:
ADOPTED

081312 [Final Map - 631 Folsom Street]

Motion approving Final Map 4220, a 114 Residential and 2 Commercial Unit Mixed-Use Condominium Project, located at 631 Folsom Street being a subdivision of Lot 090 in Assessors Block No. 3750 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,814; District 6.)

Enacted M08-162
Number:
APPROVED

081314 [Final Map - 231 Franklin Street, 327 & 315 Hayes Street]

Motion approving Final Map 4457, a 32 Residential and 1 Commercial Unit Mixed-Use Condominium Project, located at 231 Franklin Street, 327 & 315 Hayes Street being a subdivision of Lots 002, 017, and 022 in Assessors Block No. 0816 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,858; District 6.)

Enacted M08-164
Number:

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

081349 **[Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]** **Supervisor Alioto-Pier**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

Continued to November 18, 2008

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

081387 [Market and Octavia Community Advisory Committee] **Supervisor Mirkarimi**

Resolution establishing the Market and Octavia Community Advisory Committee according to Planning Code Section 341.5.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

Supervisor Daly Excused From Voting

Supervisor Dufty, seconded by Supervisor

Mirkarimi, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081313 [Final Map - 1360-1364 Stevenson Street]

Motion approving Final Map 4927, a 5 Unit Residential Condominium Project, located at 1360 - 1364 Stevenson Street being a subdivision of Lot 073 in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,853; District 6.)

Enacted M08-163
Number:

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081400 **[Recreation and Park Department - Water Use Efficiency and Recycled Water]** **Supervisor Mirkarimi**

Ordinance making environmental findings and amending San Francisco Park Code Article 3 by adding Section 3.19, to require the Recreation and Park Department to maximize water use efficiency and to use Recycled Water where available for Park irrigation needs.

(Fiscal Impact.)

11/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 12/4/2008. (Referred to Planning Department for environmental review.)

081404 **[Mandatory Recycling and Composting]** **Mayor**

Ordinance amending the San Francisco Environment Code by adding Chapter 18, Sections 1801 through 1814, entitled "Mandatory Recycling and Composting Ordinance," amending the San Francisco Public Works Code by amending Section 173, and amending the San Francisco Health Code by amending Sections 291, 291.1, 291.2, 291.4, 291.5, 291.15, and 293.1, all to: (1) require all persons located in San Francisco to separate recyclables, compostables and landfilled trash and participate in recycling and composting programs; (2) provide enforcement mechanisms and penalties for

violations; (3) set an operative date; and (4) ensure that all properties subscribe to refuse collection service; and making environmental findings.
11/4/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2008.

Resolutions

081397 **[Urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods]** **Supervisors Ammiano, Maxwell**

Resolution urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods. Encouraging cooperation between DPH and SFMTA and the local community in identifying and correcting health and safety related issues associated with truck traffic. Urging DPH to create a truck related exposure map identifying areas of significant exposure to air quality, noise and traffic hazards. Urging SFMTA to create a mitigation plan to address the impacts of local truck traffic on residential communities of southeast San Francisco that protects community health and provides efficient routes for commercial vehicle traffic.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081398 **[Agreement to modify an existing Municipal Railway Easement for the J-Church line]** **Supervisor Dufty**

Resolution approving and authorizing agreements for the modification of an existing MUNI easement in exchange for fee interest in a portion of the original easement area and rail transit improvements for the J-Church line at 21st Street and Chattanooga Street; adopting findings that the agreements are exempt from Environmental Review and are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Executive Director/CEO of the San Francisco Municipal Transportation Agency and the Director of Property to execute documents and take certain actions in furtherance of this resolution.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081399 **[Endorsing a Finance Plan for the Redevelopment of Candlestick Point and the Hunters Point Shipyard]** **Supervisor Maxwell**

Resolution endorsing a Finance Plan for a proposed mixed-use development on Candlestick Point and Hunters Point Shipyard.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081401 **[Street Name Change to Timothy Pflueger Place]** **Supervisor Peskin**

Resolution changing the name of Chelsea Place in the downtown district to "Timothy Pflueger Place," in recognition of Timothy Pflueger's many contributions to the City of San Francisco.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081402 **[Adding the Name "Harold 'Bud' Moose Lane" to Merchant Street]** **Supervisor Peskin**

Resolution adding the name "Harold `Bud' Moose Lane" to Merchant Street in recognition of Bud Moose and his many contributions to San Francisco.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081403 **[Appointments - Citizens General Obligation Bond Oversight Committee]** **Supervisor Peskin**

Resolution appointing Robert Muscat and Kristen Chu, terms ending 2010, to the Citizens General Obligation Bond Oversight Committee.

11/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081405 **[2008 Hazard Mitigation Plan]** **Mayor, Supervisor Alioto-Pier**

Resolution adopting the 2008 City and County of San Francisco Hazard Mitigation Plan.

11/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081407 [Commending Tina Modotti] **Supervisor Peskin**

Resolution commending Tina Modotti an independent, liberated woman of incredible talent, intelligence and social commitment who resided in San Francisco in 1913 through 1918.

11/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081408 [Urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the MUNI Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail Facility"] **Supervisor McGoldrick**

Resolution urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail Facility."

11/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081409 [Brady Street Memorial] **Supervisor McGoldrick**

Resolution dedicating Brady Street in San Francisco to the memory of Margaret and Bernard Brady and recognizing the other historical figures for whom the street was named.

11/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

081396 [Board of Supervisors Budget Analyst Procurement Process]

Hearing to discuss the Board of Supervisors Budget Analyst procurement process, including Proposition J, the scope of services, other aspects of the Request for Proposals including qualifications, and the not to exceed amount. (Clerk of the Board)

11/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

081406 [2009 Board of Supervisors Regular Meeting Schedule]

Motion revising the 2009 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 20, February 17, May 26, September 8, September 29, October 13, and

December 1; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 19 through September 8, 2009 and December 16 though December 31, 2009. (Clerk of the Board)
11/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

081372 [Mission Bay North-Park Parcels NP3, NP4 and NP5 Improvements]

Ordinance designating a portion of State Trust Parcel 1, lying next to the Mission Creek Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities as public open space and for park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of

Public Works Order No. 177,882; and authorizing official acts in connection with this Ordinance. (Public Works Department)
10/27/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

081359 [Increasing the Golden Gate Petroleum contract dollar from less than $10 million to less than $20 million]

Resolution approving the Second Amendment to the Agreement between the City and Golden Gate Petroleum as a supplier of gasoline and diesel fuel, increasing the contract's dollar amount from less than $10 million to $20 million, pursuant to Charter Section 9.118(b). (Office of Contract Administration) (Fiscal Impact.)
10/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081360 [Lease of Real Property at 3801 Third Street, Suite 400]

Resolution authorizing the Lease at 3801 Third Street, Suite 400, for the Department of Public Health commencing retroactively on July 1, 2008. (Real Estate Department)
10/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081361 **[Raising the contract's not-to-exceed amount, between the CCSF and Firestone-Bridgestone for rental bus tires, to an amount not the exceed $11,010,000]**

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (City) and Firestone-Bridgestone (Contractor) for rental of bus tires, increasing the contract's not-to-exceed amount to more than $10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration) (Fiscal Impact.)

10/23/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081362 **[Prevailing wages for (1) workers on public works and improvement projects, (2) workers in theatrical services; (3) workers performing moving services; and (4) workers hauling solid waste.]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities

for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)
10/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081363 [Settlement of Unlitigated Tax-Related Matter with Internal Revenue Service]
Resolution authorizing settlement of unlitigated tax-related matter with the Internal Revenue Service regarding potential tax liability. (City Attorney)
10/24/08, RECEIVED AND ASSIGNED to Rules Committee.

081370 [Lease of Real Property - 1325A Evans Avenue]
Resolution authorizing a new lease of approximately 3,287 rentable square feet of space at 1325A Evans Avenue for the San Francisco Public Utilities Commission. (Real Estate Department)
10/27/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081371 **[Amendment to Lease of Real Property at 3119 Mission Street]**

Resolution authorizing the Amendment to Lease at 3119 Mission Street for the Human Services Agency. (Real Estate Department)

10/27/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081373 **[Agreement for the Reimbursement for Interim Assistance Payments Pursuant to Section 1631(g) of the Social Security Act]**

Resolution authorizing the renewal of Resolution 791-89 between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to Social Security Income Program (SSI)/ State Supplementary Payment (SSP) Applicants. (Human Services Department)

10/27/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of

Public Works report on the status of removing graffiti at the following private property locations:
503 Haight
378 Fillmore
388 Fillmore
437 Webster
301 Webster
445 Webster
480 Grove
430 Baker
501 Fillmore
799 Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
Northeast corner of Steiner and Haight
Northeast corner of Haight and Fillmore
Northeast corner of Page and Fillmore
Metal Poles
Southeast corner of McAllister and Fulton
Southwest corner of Buchanan and Haight
Southeast corner of Haight and Buchanan
Concrete Poles and Underpass
Southeast corner of Geary and Webster (concrete underpass)
Northwest corner of Post and Webster
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of

Public Works report on the status of removing graffiti from the following locations:
Garbage Cans
Southeast corner of McAllister and Fillmore
In front of 580 Hayes
Southeast corner of McAllister and Fillmore
Southeast corner of Sutter and Fillmore
Mailboxes
Southwest corner of Baker and Golden Gate
Northwest corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Haight Street from Stanyan to Webster
Haight Street needs cleaning and graffiti blitz (trashed from Halloween)
Utility Boxes
Northeast corner of Sutter and Fillmore
Northeast corner of Fillmore and McAllister
Bus Shelters
Southeast corner of Fillmore and McAllister
Northwest corner of Haight and Stanyan
All bus shelters on Haight and Fillmore need power washing, graffiti and human feces
Northwest corner of Haight and Masonic
Emergency Boxes
Northwest corner of Fillmore and McAllister
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

Allan Spear - Supervisors Dufty & Ammiano
Albert Lanier - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:19 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on December 9, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its

members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance

of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at

sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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November 18, 2008

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San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, November 18, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor Ammiano was noted absent. There was a quorum present.
Supervisor Ammiano was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of October 7, 2008 and October 21, 2008. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

081231 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance]** **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 14B.8 to direct the Human Rights Commission to assign numeric point values to the good faith outreach steps that bidders must undertake for all public work/construction, architect/engineering, professional service and general service contracts that exceed the minimum competitive amount or threshold amount.

Enacted Number: 265-08
FINALLY PASSED

081289 **[Public Employment - Port of San Francisco (PRT)]** **Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.50 FTE) Class 5502,

Project Manager 1 at the Port of San Francisco (PRT).

Enacted Number: 267-08
FINALLY PASSED

080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - $56,500,000]

Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of $56,500,000. (Airport Commission) (Fiscal Impact.)

Enacted Number: 266-08
FINALLY PASSED

080941 [Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - $2,750,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for $2,750,000 and other consideration; the lawsuit was filed on December

15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al. (Airport Commission)

Enacted Number: 263-08
FINALLY PASSED

081377 **[Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance]** **Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.

Enacted Number: 260-08
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

081234 **[Zoning - Prohibiting Formula Retail Uses in the Chinatown Visitor Retail District and establishing a conditional use permit requirement for formula retail uses]** **Supervisor Peskin**

Ordinance amending the Planning Code by amending Section 803.6 to prohibit formula retail uses in the

Chinatown Visitor Retail District, and to create a conditional use requirement for formula retail uses in the Chinatown Community Business District and the Chinatown Residential Neighborhood Commercial District; amending Section 803.2 to refer to this prohibition and conditional use requirement, and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(9/19/08 - Economic Impact.)

Enacted 269-08
Number:
FINALLY PASSED

Recommendations of the Rules Committee

081068 [Settlement of City's Lawsuit Against Defendant EnCana Corp - $265,695.80]

Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $265,695.80 to

the City from defendant EnCana Corp. (City Attorney)

Enacted 262-08
Number:
FINALLY PASSED

081165 [Settlement of Lawsuit - Twylah Sperka - $49,000]

Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for $49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al. (City Attorney)

Enacted 277-08
Number:
FINALLY PASSED

081166 [Settlement of Lawsuit - J. Hadley Louden - $35,000]

Ordinance authorizing settlement of the lawsuit filed by J. Hadley Louden against the City and County of San Francisco for $35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Louden v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006. (City Attorney)

Enacted 276-08

Number:
FINALLY PASSED

081205 [Settlement of Lawsuit, Gladys DeWitt - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for $50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.

Enacted 274-08
Number:
FINALLY PASSED

081259 [Settlement of Lawsuit - Karen Douma - $1,695,100.00]

Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for $1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF

American Taxicab, Inc., et al. (City Attorney)

Enacted 272-08
Number:
FINALLY PASSED

081260 [Settlement of Lawsuit - James R. Figueroa - $65,000]

Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for $65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works. (City Attorney)

Enacted 273-08
Number:
FINALLY PASSED

081261 [Settlement of Lawsuit - Husam Sajjan - $100,000.00]

Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al. (City Attorney)

Enacted 271-08
Number:

FINALLY PASSED

081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - $150,000.00]

Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for $150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 275-08

FINALLY PASSED

081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC. (City Attorney)

Enacted Number: 261-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

081086 **[Public Works Code - annual right-of-way occupancy assessment fee for driveways]** **Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires modification to the public right-of-way; and making environmental findings.

Supervisor McGoldrick requested to be added as sponsor.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires or required modification to the public right-of-way; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the City Operations and Neighborhood Services Committee Without Recommendation

080658 **[General advertising on City buildings and street furniture]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.

(9/16/08 - Supervisor McGoldrick submitted a substitute ordinance bearing new title.)

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Recommendation of the Government Audit and Oversight Committee

081376 [Municipal Identification Cards] Supervisor Ammiano

Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.

Enacted Number: 279-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

From the Land Use and Economic Development Committee Without Recommendation

061438 **[Public Works Code - Sidewalk flower-vending stands]** **Supervisor McGoldrick**

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

Continued to November 25, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081120 **[Ordering vacation of the Ingleside Path]** **Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Enacted 270-08
Number:

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080436 **[Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]** **Supervisors Alioto-Pier, Chu, Elsbernd**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

081119 [Noise Control Ordinance- Establishing Noise Task Force] Supervisor Ammiano

Ordinance amending the San Francisco Police Code by amending Sections 49, 2900, 2901, 2902, 2904, 2907, 2908, 2909, 2910, 2912, 2916, 2917, and 2918, repealing Sections 2903, 2906, 2911, 2913, 2914, 2915, and 2918, and adding new Sections 2912, 2920, 2922, 2924, and 2926, to revise the City's noise control regulations, add administrative penalties, and create a Noise Task Force.

Enacted Number: 278-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Chu, Elsbernd

081190 **[Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]** **Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081227 **[Voting Systems Task Force]** **Supervisor Ammiano**

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

Enacted 268-08
Number:

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 4 - Alioto-Pier, Chu, Elsbernd, Peskin

081285 **[Lobbyist Ordinance amendments to regulate permit lobbying]** **Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons

who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Dufty

081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - $380,000]

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for $380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al. (City Attorney) (Supervisor Daly dissented in committee.)

Enacted Number: 264-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081270 **[Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $14,941,976.82]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of $14,941,976.82 from the United States Department of Commerce and to provide $451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (.58 FTE - 0941 Manager VI and .58 FTE - 0931 Manager III) in the Department of Emergency Management.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081218 **[Amendment to Settlement Agreement with Pacific Gas and**

Electric Company - Federal ID No. 94-0742640]

Resolution retroactively authorizing the Port to execute an amendment to the settlement agreement between Pacific Gas and Electric Company (PG&E) and the City and County of San Francisco, dated June 14, 2005, in the matter of PG&E's petition for relief under the Bankruptcy Code (Federal ID No. 94-0742640). The settlement resolves a claim of encroachment by PG&E's Hunter's Point Power Plant on Custer, Davidson, India and Ingalls Streets, by: (1) extending PG&E's right to continue occupying approximately 35,465 square feet of Custer and Davidson Streets until July 31, 2012, and to continue occupying approximately 56,484 square feet of Custer, Davidson, India and Ingalls Streets until July 31, 2016, with option to extend each period of occupancy for periods of 6 months at a time with the Port's prior written consent; and (2) delaying the commencement date of a 5-year lease to PG&E of approximately 1,421 square feet of Davidson Street from January 1, 2008 to August 1, 2012. (Port)

Enacted Number: 485-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081266[WSIP Agreement No. CS-914,

Bay Division Regional Construction Management Services]

Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-914, Bay Division Regional Construction Management Services. (Public Utilities Commission) (Fiscal Impact.)

Enacted Number: 490-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081273 **[Lease of Real Property at 25 Van Ness, Lower Level, to New Conservatory Theatre Center]** **Supervisors Ammiano, Dufty**

Resolution authorizing the lease of approximately 12,792 rentable square feet of space to New Conservatory Theatre Center, a California non-profit corporation, in the lower level of 25 Van Ness, San Francisco.

Enacted Number: 489-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081336 **[Accept and Expend grant funds to support a juvenile mental health program - $200,000]** **Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $200,000 from the United States Department of Justice, for a project entitled "AIIM Higher," for the period of September 1, 2008 through August 31, 2010.

Enacted Number: 476-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081353 **[Approval of a contract for the Department of Public Health - $16,472,460]**

Resolution authorizing the San Francisco Department of Public Health to enter into a contract for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services for the term of January 1, 2009 through December 31, 2009.

Enacted Number: 488-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081343 **[Appropriating $34,755,000 of bond sale proceeds and Library Preservation Fund balance for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009]** **Mayor**

Ordinance appropriating $34,755,000 of bond sale proceeds, unappropriated fund balance and unappropriated general reserve for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009. Place on Controller's Reserve $33,955,000 of the bond sale proceeds pending sale of the bond.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081344 **[Appropriating $13,222,746 of State Proposition 1B Revenue for Street Resurfacing Projects in the Department of Public Works for Fiscal Year 2008-2009]** **Mayor, Supervisor Elsbernd**

Ordinance appropriating $13,222,746 of FY 2008-09 State Proposition 1B Local Streets and Roads Improvement funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the funds to implement road maintenance and resurfacing projects at various locations. (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081345 [Lease Financing for Library Projects] **Mayor**

Ordinance approving the issuance and sale of lease revenue bonds to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the

Corporation and a trustee; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue bonds; directing the publication of the Notice of Intention to Sell the lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue bonds; approving the form of an Official Statement in preliminary and final form and directing the Controller to return to the Board at a later date with a revised official statement; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue bonds; approving modifications to documents; adopting findings under the California Environmental Quality Act ("CEQA") and findings pursuant to City Planning Code Section 101.1 and City Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081384 [Transfer of Responsibilities for Mayor Court Facilities]

Resolution authorizing the transfer of responsibilities for three court facilities at 375 Woodside Avenue and 850 Bryant Street and the agreement to make ongoing payments of fixed court facility payments following such transfers to the State of California equal to $78,275 per year, adjusted by an inflation index, and of $28,116 per year, adjusted by an inflation index, for the two court facilities at 375 Woodside Avenue, $703,105 per year, adjusted by an inflation index, for the court facility at 850 Bryant Street.
(Fiscal Impact.)

Enacted Number: 487-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

081082 **[Requiring Activation of Closed Captions During Video Events]** **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Sections 4401 and 4402 to require the activation of closed captioning during video events in a park, open space, zoo, or other outdoor recreation area.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081340 **[Amending Administrative, Police, Public Works, Business & Tax and Transportation Codes, to conform to the 11/06/2007 Proposition on Transit Reform, Parking Enforcement and Emissions Reduction]** **Supervisor Peskin**

Ordinance amending San Francisco Administrative Code Sections 2A.81, 5.20, 5.130-5.132, Chapter 17, and repealing Administrative Code Sections 2A.180 and 10.150-10.151; amending San Francisco Police Code Sections 386, 835-839, 939, 1054, 1076, 1175-1180, 3057, 3910, adding Police Code Sections 835.1-835.2, 939.1-939.6, 975.1-975.5, and repealing Police Code Sections 710.2, 1166, 1170-1171, and Article 16, Division IX; amending San Francisco Public Works Code Sections 2.4.3 and 724.4, and repealing Section 701; repealing San Francisco Business & Tax Code Sections 1.11-1.14 and 129.2-129.5; repealing and re-enacting San Francisco Transportation Code Division 1, to conform those sections to the 11/06/2007 Proposition on Transit Reform, Parking Regulation, and Emissions Reduction.

PASSED ON FIRST READING by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081002 **[Zoning - Violations of General Advertising Sign Requirements]** **Supervisors Alioto-Pier, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 to require response to a notice of violation to be given within 30 days instead of 45 days and to add subsection (f), which addresses repeat violations of general advertising sign requirements by a single entity on the same property; adopting findings, including environmental findings and findings required by Section 302 and Section 101.1 of the Planning Code.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Dufty, Mirkarimi

081058 **[Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]** **Supervisors Maxwell, Peskin**

Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter

29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081335 **[Summary Vacation of Public Utility Easements at the intersection of Crescent Way and Executive Park Boulevard]** **Supervisor Maxwell**

Ordinance ordering the summary vacation of unused and unnecessary public utility easements located at the intersection of Cresent Way and Executive Park Boulevard in San Francisco (within Assessor's Block 4991); making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated public utility easements to Top Vision Development, LLC; and authorizing other actions in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

081381 [Hearing - Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

The President inquired as to whether or not any member of the public wished to address the Board members.

Representative of the Redevelopment Agency reviewed with the Board its recommendations.

Ruth Karen Jenkins; opposed to the proposed

legislation
William Picklehoffer; opposed to the proposed legislation
Mr. Zelinsky; support of the proposed legislation
Ron Zest; support of the proposed legislation
Patricia A. Young; support of the proposed legislation
Gus Elliot; support of the proposed legislation
Male speaker; support of the proposed legislation
Female speaker; support of the proposed legislation
Female speaker; support of the proposed legislation
Stephen Kaufman; support of the proposed legislation
Female speaker; support of the proposed legislation
Philip Jaber; support of the proposed legislation
The President declared the public hearing closed.
Heard at Public Hearing.

FILED.

081382 **[Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]** **Supervisors Mirkarimi, Daly**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited

partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 484-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 2 - Ammiano, Sandoval

SPECIAL ORDER 3:30 P.M. Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Dr. Toye Moses in recognition of his service as a member of the Mental Health Board.

Supervisor Ammiano introduced, welcomed and presented Certificates of Honor to Brian Chu in recognition of winning the Youth ID poster contest and also to members who participated in the contest.
John Hanley, President of Local 798 Firefighters Union, made a presentation to outgoing members of the Board of Supervisors.
Supervisor Alioto-Pier introduced, welcomed, and presented a Certificate of Honor to the management of Starbucks Coffee in appreciation for free coffee offered during the November 4, 2008 Election.

SPECIAL ORDER 4:00 P.M.

081365 [Public Hearing - Appeal of Final Environmental Impact Report for the 690 Stanyan Street Project]

Hearing of persons interested in or objecting to the Planning Commission's October 23, 2008 certification of a Final Environmental Impact Report identified as Planning No. 2006.0460E, through it's Motion No. 17732, for a proposed development at 690 Stanyan Street, Assessors Block No. 1228, Lots 005 and 006. (Appellant: Regan Caponi)
(Filed 10/24/08; Companion measure to 081366, 081367, 081368)

The President inquired as to whether any member of the public wished to address the Board members. President informed the Board members that the appellant had withdrawn the appeal.

Female speaker; support of the project sponsor
Female speaker; support of the project sponsor
Ted Lowberg; support of the project sponsor
The President declared the public hearing closed.
Heard at public hearing.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081366 [Affirming certification of 690 Stanyan Street Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project. (Clerk of the Board)

Enacted Number: M08-170

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081367 **[Disapproving certification of 690 Stanyan Street Project FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 690 Stanyan Street Project. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081368 **[Preparation of findings to disapprove certification of 690 Stanyan Street Project FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project FEIR. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081235 **[Subdivision Code - notice and appeal procedures, DBI review fee]** **Supervisor Peskin**

Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.

Supervisor Sandoval, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081247 **[Zoning - Conditional use authorization for new development in the Bernal South Slope Area]** **Supervisor Ammiano**

Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly Excused From Voting

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, was excused from voting on File Nos. 081152, 081153, 081154, 081155, 081333, 081334, 081339, 081469, 081470, 081471, 081472 and 081473. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081152 **[Approving General Plan Amendments Related to the**

Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

081153 **[Planning Code Amendments for the Eastern Neighborhoods Area Plans]**

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

The following Sections were severed from File Nos. 081153: Sec. 175.9, Sec. 327.6 (i), Sec. 329 and Sec. 263.22.

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Severed from File No. 081153; Sec. 175.9.

081469 [Eastern Neighborhoods Area Plans - duration of authorizations]

Ordinance amending the San Francisco Planning Code by adding section 175.9 concerning the duration and expiration of various Planning Code authorizations in the Eastern Neighborhoods Area Plans; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Excused: 1 - Daly

Severed from File No. 081153; Sec. 263.22.

081470 [Planning Code amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Ordinance be TABLED. The motion FAILED by the following vote:

Ayes: 5 - Ammiano, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

Excused: 1 - Daly

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

Noes: 5 - Ammiano, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1 - Daly

Severed from File No. 081153; Sec. 327.6.

081471 **[Eastern Neighborhoods - conditional use requirement tied to capital expenditures finding]**

Ordinance amending the San Francisco Planning Code by adding Section 327.6(i) to establish a conditional use requirement that is tied to Board of Supervisors findings on the Eastern Neighborhoods Capital Expenditure Evaluation as set forth in Administrative Code Section 10E.7; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - Daly

Severed from File No. 081153; Sec. 329.

081472 **[Eastern Neighborhoods Area Plans - large project authorization in Mixed Use Districts]**

Ordinance amending the San Francisco Planning Code by adding Section 329 to establish large project authorization in Eastern Neighborhoods Mixed Use Districts; and making various findings, including environmental findings and findings of consistency with the General Plan and priority

policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - Daly

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Ilinois Street to the west, Iowa Street to the east, and 23rd Street to the south; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the west, Illinois Street to the east, 20th Street to the north and 23rd Street to the south; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the east, Potrero Avenue to the west, 15th Sreet to the north and 17th Street to the south; for

Integrative PDR Special Use District bounded generally by Cesar Chavez Street to the south, Pennsylvania and Iowa Street to the west, 23rd Street to the north and Michigan and Maryland Streets to the east; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Continued to November 25, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings.

(Planning Department)

Supervisor Peskin, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Severed from File No. 081155; Section 10E. 7.

081473 [Eastern Neighborhoods Area Plans - Capital Expenditure Evaluation]

Ordinance amending the Administrative Code by adding section 10E.7 to establish the Eastern Neighborhoods Capital Expenditure Evaluation and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1 - Daly

081333 **[Zoning - SoMa Youth and Family Special Use Districts]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Zone Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081334 **[Zoning - Potrero Center Mixed-Use Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center

Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081339 **[Zoning - Publicly-owned properties in the Eastern Neighborhoods]** **Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

080934 **[Requiring Air Quality** **Supervisor**

Assessment and Ventilation for Certain Urban Infill Residential Developments] **Ammiano**

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission. (Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081248 **[Changing the name of Rowland Street in North Beach to Dirk Dirksen Place]** **Supervisor Ammiano**

Resolution changing the name of Rowland Street on Broadway in North Beach to "Dirk Dirksen Street" in recognition of Dirk Dirksen, who will be remembered as one of the most important figures in the musical

and cultural history of San Francisco; and authorizing initiation of the process to install a commemorative plaque on said street.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution changing the name of Rowland Street on Broadway in North Beach to "Dirk Dirksen Place," in recognition of Dirk Dirksen, who will be remembered as one of the most important figures in the musical and cultural history of San Francisco; and authorizing initiation of the process to install a commemorative plaque on said street.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081341 **[Accept-Expend State Grant for Jefferson Street Redesign/Bay Trail Feasibility Study - $30,000]** **Supervisor Peskin**

Resolution authorizing the Planning Department to retroactively accept and expend up to $30,000 from the Association of Bay Area Government for

Jefferson Street Redesign/Bay Trail Feasibility Study for FY2008-2009.

Enacted Number: 477-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared in song general issues in San Francisco
Mark Trout; expressed concern with issues relating to homosexuality
David Winthrop and fellow students; expressed concern with issues relating to the soccer fields in San Francisco
Dr. Porter Ashimya; expressed concern with issues relating to the passage of Prop P and the clean up of the residential Hunters Point Shipyard
Richard McRee; expressed concern with issues relating to his US patent for the design for Sigmund Stern Grove
John di Donna; shared with the Board a written document relating to marriage
Male speaker; shared with the Board the celebration of Mount Wilson
Espanola Jackson; expressed concern with issues relating to the Bayview Hunters Point area and the addition of power plants
Shelly; expressed concern with issues relating to the proposed budget cuts to the St James Infirmary
Edmund Larry; expressed concern with issues relating to SRO housing

ROLL CALL FOR INTRODUCTIONS

FOR ADOPTION WITHOUT

COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081407 **[Commending Tina Modotti]** **Supervisor Peskin**

Resolution commending Tina Modotti an independent, liberated woman of incredible talent, intelligence and social commitment who resided in San Francisco in 1913 through 1918.

Enacted Number: 479-08
ADOPTED

081408 **[Urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the MUNI Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail** **Supervisor McGoldrick**

Resolution urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail Facility."

Enacted Number: 480-08

ADOPTED

081409 **[Brady Street Memorial]** **Supervisor McGoldrick**

Resolution dedicating Brady Street in San Francisco to the memory of Margaret and Bernard Brady and recognizing the other historical figures for whom the street was named.

Enacted Number: 481-08
ADOPTED

081410 **[Approval of a historical property contract for 690 Market Street ("Chronicle Building")]** **Supervisor Peskin**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between RC Chronicle Building LP and 690 Market Master Association, a nonprofit mutual public benefit association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

Enacted Number: 482-08
ADOPTED

081412 **[Appointment - Treasury** **Supervisor**

Oversight Committee, Todd Rydstrom] **Peskin**

Resolution appointing Todd Rydstrom, term ending June 5, 2009, to the Treasury Oversight Committee, residency requirement waived.

Enacted Number: 483-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Without Reference to Committee Agenda

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

081349 **[Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]** **Supervisor Alioto-Pier**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

Supervisor Ammiano, seconded by Supervisor

Alioto-Pier, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

081406 [2009 Board of Supervisors Regular Meeting Schedule]

Motion revising the 2009 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 20, February 17, May 26, September 8, September 29, October 13, and December 1; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 19 through September 8, 2009 and December 16 though December 31, 2009. (Clerk of the Board)

Supervisor Elsbernd moved to amend by adding the Board meeting date of January 6, 2009 to be canceled.

Motion failed for lack of a second.

Enacted Number: M08-168

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

081411 [Opposing location of proposed Supervisor Presidio Fine Arts Museum] **Peskin**

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

Continued to November 25, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

081413 **[Taking File #081015 - Mirant Power Plant retrofit - from the Table]** **Supervisors Peskin, Maxwell**

Motion pursuant to Board of Supervisors Rule 4.31 to remove File #081015 from the table for consideration at the next Board meeting, on Tuesday November 25th.

Enacted M08-169
Number:
APPROVED by the following vote:
Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Daly, Elsbernd

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081440 **[De-Appropriating $998,145 of General Fund and $761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]** **Supervisors Daly, McGoldrick**

Ordinance de-appropriating $998,145 of General Fund in the Mayor's Office of Community Justice and $761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community

Justice Center in Fiscal Year 2008-2009.
(Fiscal Impact.) (Supervisor Elsbernd dissented in committee.)
11/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081442 [Appropriating $500,000 of Revenue from PGA Tournament Agreement for Harding Park PGA Related Improvements for the Recreation and Park Department in Fiscal Year 2008-2009] **Supervisor Elsbernd**

Ordinance appropriating $500,000 of Revenue from the Professional Golf Association (PGA) Tournament Agreement for staffing and improvements to the Harding park Golf Course per the PGA Tournament Agreement at the Recreation and Park Department for Fiscal Year 2008-2009.
(Fiscal Impact.)
11/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081443 [Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund] **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.
(Fiscal Impact.)
11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081444 **[Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]** **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.
(Fiscal Impact.)
11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081449 **[Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]** **Supervisor McGoldrick**

Ordinance amending San Francisco Business and Tax Regulations Code by amending Section 906.2 to

eliminate limits on company size and expand the definition of qualifying business activities. (Economic Impact)
11/18/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 12/18/2008.

081450 **[Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]** **Supervisor Peskin**

Ordinance amending Sections 1106, 1108, 1108.4,1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.
11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/26/08 - Forwarded to the Small Business Commission for review.

081451 **[Property Tax Refund Claim Processing]** **Supervisor Peskin**

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/26/08 - Forwarded to the Small Business Commission for review.

081452 **["Know your rights" brochure for towing]** **Supervisor Peskin**

Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" brochure in order to provide the public with information about their rights when towed from private property.

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081453 **[Appropriating $1,923,629,194 of Mayor Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]**

Ordinance appropriating $1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to

fund construction and financing costs for the Water System Improvement Project (WSIP) in the Public Utilities Commission for Fiscal Year 2008-2009 and placing the entire appropriation on Controller's reserve pending the sale of the bonds.
(Fiscal Impact.)
11/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

081441 [Grant to support Cesar Chavez Street streetscape improvements - $711,296] **Supervisor Dufty**

Resolution authorizing the San Francisco Planning Department to accept and expend $711,296 from the California Department of Housing and Community Development for pedestrian safety, traffic calming, and stormwater improvements along Cesar Chavez Street.
11/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081446 [Eastern Neighborhoods MOU] **Supervisor Maxwell**

Resolution approving a Memorandum of Understanding between City departments relating to the planning of various capital projects in the Eastern Neighborhoods Plan Area, subject to the approval of the affected City departments and

commissions; establishing an Eastern Neighborhoods Infrastructure Finance Working Group; and making findings under the California Environmental Quality Act.
11/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081447 **[Accept-Expend State Grant - Southeast Community Response Network - $402,457]** **Supervisor Maxwell**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $402,457 through the United States Department of Justice, for a program entitled "Southeast Community Response Network" for fiscal year July 2006 through June 2010.
11/18/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081448 **[Juvenile Probation and Camp Funding Grant Program]** **Supervisor Maxwell**
Resolution authorizing the Juvenile Probation Department to participate in the State of California's Juvenile Probation and Camp Funding Program, to receive funds for direct services to eligible children and their families.
11/18/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081456 **[Commending Historic** **Supervisor**

International Labor Partnership] **Peskin**

Resolution applauding the historic new partnership between the San Francisco Labor Council and the Guangzhou Federation of Trade Unions.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081457 **[California Street Steps Tiling Project]** **Supervisor McGoldrick**

Resolution supporting the gift of funds, once fundraising is completed, for the installation of artistic tile on the California Street Stairs to be maintained jointly by the San Francisco Arts Commission and the Department of Parks and Recreation.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081458 **[Municipal Transportation Agency Board of Directors-Advertising Policy]** **Supervisor McGoldrick**

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors not to renew any advertising contracts that permit window-covering advertisements on SFMTA passenger vehicles.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

BOARD MEETING.

081459 **[Congratulating Tim Lincecum on winning the 2008 National League Cy Young Award]** **Supervisor Dufty**

Resolution congratulating Tim Lincecum on winning the 2008 National League Cy Young Award.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081460 **[Proposed Contemporary Art Museum]** **Supervisor Alioto-Pier**

Resolution supporting the location of the proposed Contemporary Art Museum in the City and County of San Francisco.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081461 **[Senior Citizens' Property and Renters' Tax Assistance Program]** **Supervisor Daly**

Resolution urging Governor Arnold Schwarzenegger to restore the entire $190.9 Million appropriation for the Senior Citizens' Property and Renters' Tax Assistance Program in the 2008 California State Budget.

11/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

081436 **[San Francisco Unified School District's expulsion policy]** **Supervisor Alioto-Pier**

Hearing on the San Francisco Unified School District's expulsion policy for elementary schools through high school. The hearing will examine the procedures in place, expulsion hearing format and rights of appeal, as well as other issues that may be pertinent to the procedures and policies in place.

11/18/08, RECEIVED AND ASSIGNED to City and School District Select Committee. 11/21/08 - Referral sent to the Youth Commission.

081437 **[Mayor's Current Budget Instructions, Mid-Year Cuts and next year's Budget process]** **Supervisor McGoldrick**

Hearing on the Mayor's Current Budget Instructions, Mid-Year Cuts and next year's Budget process.

11/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081438 **[Assessments and property tax collection in the Office of Assessor Recorder]** **Supervisor McGoldrick**

Hearing to discuss backlog of assessments and property tax collection in the Office of Assessor Recorder.

11/18/08, RECEIVED AND ASSIGNED to Budget and

Finance Committee.

081439 **[Permit review and issuance at the Planning Department and Department of Building Inspection]** **Supervisor McGoldrick**

Hearing to discuss backlog of permit review and issuance at the Planning Department and Department of Building Inspection, and to recommend methods of expedition and prioritization.

11/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

081414 **[Reaffirming and Restating Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing Amended and Restated Term Sheet]**

Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally

feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission. (Port)
10/31/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081415 **[Approval of Port Lease for TCHO Ventures, Inc. at Pier 17]**
Resolution approving Port Commission Lease No. L-14584 with TCHO Ventures, Inc. ("TCHO") for a five (5) year term for certain real property located at Pier 17 in the City and County of San Francisco. (Port)
10/31/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081416 **[Approving Seven Technology Store Contracts pursuant to Charter Section 9.118(b)]** **Supervisor Dufty**
Resolution approving the award of seven contracts for Technology Store purchases pursuant to San Francisco Charter Section 9.118(b). (Fiscal Impact.)
11/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081417 **[Purchase of Real Property**

located at 5027-5033 Third Street, San Francisco for the Public Library]

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Doug Wong and Pearl Yee Wong, husband and wife, as joint tenants (the "Seller"), for the purchase of real property and improvements located at 5027 - 5033 Third Street, San Francisco, to expand the Bayview/ Anna E Waden Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department)
(Fiscal Impact.)
11/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Chu
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Municipal Transportation Agency to study the feasibility of installing stop signs and/or traffic calming devices at the following locations:
Judah Street at 29th Avenue
Taraval Street and 20th Avenue
Rivera Street at 42nd Avenue

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Northeast corner Baker and Oak
Northwest corner Broderick and Golden Gate
Near 1213 Fell
Southwest corner Divisadero and Fell
Northeast corner Waller and Scott
Bus Shelters
Northwest corner Haight and Stanyan
All bus shelters on Haight and Fillmore need power washing and Graffiti
Northwest corner Haight and Masonic
Emergency Boxes
Southwest corner Lyon and Golden Gate
Southwest corner Golden Gate and Scott
Southeast corner Oak and Scott
Fire Hydrant
Southeast corner Pierce and Golden Gate
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from at the following locations:
Garbage Cans
Northwest corner Broderick and Hayes
Northeast corner Central and Hayes
Northwest corner Masonic and Hayes

North side Cole and Fulton
Northeast corner Haight and Fillmore
Northwest corner Octavia and Haight
Mailboxes
Southeast corner Golden Gate and Scott
Southwest corner Octavia and Haight
Northwest corner Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
318 Fell
383 Fell
400 Fell
1172 Fell
1247 Oak
1215 Oak
215 Scott
208 Scott
160 Pierce
129 Clayton
2115 Golden Gate
535 Haight
55 Laguna (On Haight/Octavia side)
697 Haight
1000 Oak
485 Scott
682 Haight
482 Haight
399 Hiaght
503 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public report on the status of removing graffiti from utility poles at the following locations:
Wood:
Northeast corner Buchanan and Fell
Metal Pole:
Southeast corner Divisadero and Haight
315 Fell
Northeast corner Central and Hayes
1700 Golden Gate
Northwest corner Fell and Divisadero
973 Haight
Northeast corner Steiner and Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue

Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft legislation requiring the Department of Elections to:
Tabulate and release RCV results on election night upon the earlier of all precincts reporting or midnight
Tabulate and release RCV results with each subsequent Summary Report of election results by 4 p.m. each day that the Department tallies outstanding ballots
Post the ballot image file on the Department's web site concurrently with the release of election results described above.

In Memoriams

Hank Wilson - Entire Board
Sister Doris Donaldson - Supervisor McGoldrick

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:06 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on December 16, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room

244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the

Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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December 09, 2008

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MEETING MINUTES

Tuesday, December 9, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, David Campos, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were noted present.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Bc members she was in receipt of a communication fr Mayor Gavin Newsom indicating that he had appoi David Campos as District Supervisor 9.

Angela Calvillo, Clerk of the Board, informed the B members she was in receipt of a communication fr Mayor Gavin Newsom indicating that he had vetoe legislation contained in File No. 080658 which wou

prohibit the City from placing new advertising on street furniture. Consideration of the veto override will be at the December 16, 2008 Board meeting.
Angela Calvillo, Clerk of the Board, informed the Board members she was in receipt of a communication from John Arntz, Director of Elections, certifying that he had canvassed the votes as cast at the Consolidated General Election held on November 4, 2008.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081328 [Recreation and Park Department - Marina Small Craft Harbor Fees] — **Supervisor Alioto-Pier**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

Enacted Number: 307-08
FINALLY PASSED

081346 [Approving Contract for Security Services - $19,326,260]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed $19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department) (Fiscal Impact.)

Enacted Number: 306-08

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

081219 **[Gift - Department of Public Health, Community Behavioral Health Services - $800,000]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to $800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

Enacted Number: 515-08
ADOPTED

Recommendations of the Government Audit and Oversight Committee

080379 **[Regulating the conditions for purchasing prior public service credit through the Retirement System]** **Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal

cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

Enacted Number: 308-08
FINALLY PASSED

081286 **[Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]** **Supervisor Peskin**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

Enacted Number: 309-08
FINALLY PASSED

081383 **[Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date** **Super Peskin**

for transfer]

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

Enacted Number: 303-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

081283 **[Approving an Amendment to the Western Addition A-2** **Super Mirka**

Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

080846 **[Reporting requirement certain non-profit employee salaries]** **Supervisors McGoldrick, Daly**

Ordinance requiring non-profit organizations receiving City funds to report salary and benefits paid to executive director and certain other employees.

Enacted Number: 310-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

061438 **[Public Works Code - Sidewalk flower-vending stands]** **Supervisor McGoldrick**

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit

assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Campos, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 6 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Mirkarimi

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mayor Gavin Newson to address the Board members on the mid-year proposed budget cuts for the FY 2008-09. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

081232 **[Zoning - Requiring a Conditional Supe**

Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts] McGoldrick

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 301-08

FINALLY PASSED by the following vote:

Ayes: 7 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Supervisor Daly was previously excused from voting on File Nos. 081152, 081153, 081154 and 081155.

081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

Enacted Number: 297-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081153 [Planning Code Amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for

on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

Enacted Number: 298-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three four five four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois

Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Streets to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to sever Parcel Nos. 3595-024 and 3616-007 with a 85 ft designation height limit. (See File Nos. 081589)

Enacted Number: 299-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081589 [Eastern Neighborhoods Zoning Map - Height District for Mission Street theater properties]

Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3595, Lot 024 on Mission Street between 19th and 20th Streets and Assessor's Block

3616, Lot 007 on Mission Street between 21st and 22nd Streets to 65-X/85-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 4 - Campos, McGoldrick, Mirkarimi, Peskin

Excused: 1 - Daly

081155 **[Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]**

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings. (Planning Department)

Enacted Number: 300-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081333 **[Zoning - SoMa Youth and Family Special Use Districts]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and

family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to sever Assessor Blocks 3727, 3730 and 3755.
Supervisor Dufty withdrew his motion to sever this item.

Enacted 302-08
Number:

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

081334 **[Zoning - Potrero Center Mixed-Use Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Enacted Number: 304-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Daly

081339 **[Zoning - Publicly-owned properties in the Eastern Neighborhoods]** **Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Enacted Number: 305-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081440 **[De-Appropriating $998,145 of General Fund and $761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]** **Supervisors Daly, McGoldrick, Peskin**

Ordinance de-appropriating $998,145 of General Fund in the Mayor's Office of Community Justice and $761,021 of Federal Direct Grant Revenue in the

Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009. (Fiscal Impact.) (Supervisor Elsbernd dissented in committee.)

Supervisor Sandoval was previously excused from voting on this matter.
Continued to December 16, 2008.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081449 **[Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]** **Supervisors McGoldrick, Maxwell**

Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include carbon trading, solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees. (Economic Impact)

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 2 - Daly, Peskin

081453 **[Appropriating $1,923,629,194 of Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]** Mayor

Ordinance appropriating $1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to fund construction and financing costs for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for Fiscal Year 2008-2009, placing the entire appropriation by project on Controller's reserve subject to SFPUC and Board of Supervisors' discretionary approvals following completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, adopting environmental findings, placing on Budget and Finance Committee reserve any project in excess of $100,000,000 and authorizing the increase of the Water Commercial Paper Program from $250,000,000 to $500,000,000 to facilitate projected WSIP financing needs. (Fiscal Impact.)

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081499 **[Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $29,724,000]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081500 **[Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $1,374,422]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of $1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080946 **[Airport Concession Lease]**

Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and

the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Enacted Number: 509-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081359 **[Increasing the Golden Gate Petroleum contract dollar from less than $10 million to less than $20 million]**

Resolution approving the Second Amendment to the Agreement between the City and Golden Gate Petroleum as a supplier of gasoline and diesel fuel, increasing the contract's dollar amount from less than $10 million to $20 million, pursuant to Charter Section 9.118(b). (Office of Contract Administration) (Fiscal Impact.)

Enacted Number: 512-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081361 **[Raising the contract's not-to-exceed amount, between the CCSF and Firestone-Bridgestone for rental bus**

tires, to an amount not the exceed $11,010,000]

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (City) and Firestone-Bridgestone (Contractor) for rental of bus tires, increasing the contract's not-to-exceed amount to more than $10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration) (Fiscal Impact.)

Enacted Number: 511-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081371 **[Amendment to Lease of Real Property at 3119 Mission Street]**

Resolution authorizing the Amendment to Lease at 3119 Mission Street for the Human Services Agency. (Real Estate Department)

Enacted Number: 507-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081373 **[Agreement for the Reimbursement for Interim Assistance Payments Pursuant to**

Section 1631(g) of the Social Security Act]

Resolution authorizing the renewal of Resolution 791-89 between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to Social Security Income Program (SSI)/ State Supplementary Payment (SSP) Applicants. (Human Services Department)

Enacted Number: 514-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081416 **[Approving Seven Technology Store Contracts pursuant to Charter Section 9.118(b)]** **Supervisor Dufty**

Resolution approving the award of seven contracts for Technology Store purchases pursuant to San Francisco Charter Section 9.118(b). (Fiscal Impact.)

Enacted Number: 508-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

081009 **[Prohibiting smoking in taxicabs and motor vehicles for hire and free distribution of tobacco products and accessories in places open to the public]** **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco products and accessories in places open to the public.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081250 **[Massage practitioner requirements]** **Supervisor Dufty**

Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at

least 100 hours of massage instruction.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081405 **[2008 Hazard Mitigation Plan]** **Mayor, Supervisor Alioto-Pier**

Resolution adopting the 2008 City and County of San Francisco Hazard Mitigation Plan.

Enacted 517-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

081202 **[Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space]** **Supervisor Daly**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size

of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Enacted Number: 522-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081446 **[Eastern Neighborhoods MOU]** **Supervisor Maxwell**

Resolution approving a Memorandum of Understanding between City departments relating to the planning of various capital projects in the Eastern Neighborhoods Plan Area, subject to the approval of the affected City departments and commissions; establishing an Eastern Neighborhoods Infrastructure Finance Working Group; and making findings under the California Environmental Quality Act.

Enacted Number: 510-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081276 **[Real Property Lease Amendment and Sale - 875**

Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act. (Real Estate Department)

Enacted Number: 516-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units]

Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization

for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.
NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 19, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 18, 2009.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

SPECIAL ORDER 3:00 P.M.

081463 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1335 Stanyan Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 14, 2008, disapproving a Minor Sidewalk Encroachment Permit No. 07MSE-0012 to construct and maintain an "L" shaped partition fence encroaching 12" into the unimproved right-of-way of Stanyan Street to hide

garbage and recycling cans from view on Clarendon Avenue. (Appellant: Pennie Sempell)
(Filed November 24, 2008; companion measure to Files 081464, 081465; District 7.)

The President inquired as to whether any member of the public wished to address the Board.
John Quong, Representative of the Department of Public Works
Pennie Sempell, Appellant
Male speaker; opposed to the appeal
Male speaker; opposed to the appeal
Richard Margessa; opposed to the appeal
Linda Lyons; opposed to the appeal
Female speaker; opposed to the appeal
Lee Sealy; opposed to the appeal
Female speaker; support of the appellant
Pennie Sempell; Appellant - Rebuttal Period
Heard at public hearing.
The President declared the public hearing closed.

FILED.

(Only one of the following two motions should be approved.)

081464 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]

Motion disapproving the decision of the Department of Public Works' denial of an encroachment permit for 1335 Stanyan Street and granting an

encroachment permit.

Supervisor Elsbernd moved to amend the Department of Public Works encroachment permit with certain conditions.

Enacted Number: M08-181

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081465 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]

Motion affirming the Director of Public Works' denial of an encroachment permit for 1335 Stanyan Street and denying an encroachment permit.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty introduced, welcomed and presented a Certificate of the Honor to Scott Hall.
Supervisor McGoldrick introduced, welcomed and presented a Certificate of the Honor to Amber Crouch, Planning Department.
Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to Members of the Irish Gaelic Athletic Association in appreciation of the dedication of the athletic fields in Treasure Island.

SPECIAL ORDER 4:00 P.M.

081420 [Public Hearing - Conditional Use Appeal for 299 Valencia Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17739 dated November 6, 2008, relating to the approval of a Conditional Use Authorization (Case

No. 2006.0432CV), under Planning Code Sections 121.1, 151.1 and 303 to allow a large-lot mixed-use development providing up to 25 off-street residential parking spaces and 2 car share spaces in an NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) Zoning District and a 50-X Height and Bulk District on property located at 299 Valencia Street, Lot 014 in Assessor's Block No. 3532. (Filed by Jason Henderson on behalf of the Hayes Valley Neighborhood Association and subscribed by Supervisors Peskin, Ammiano, Maxwell, Daly and Mirkarimi; District 6.)
(Filed 11/14/08; Companion Measure to 081421, 081422, 081423.)

The President inquired as to whether any member of the public wished to address the Board.
Continued January 6, 2009.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence

delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081421 [Approving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]

Motion approving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to January 6, 2009

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081422 [Disapproving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street. (Clerk of the Board)

Continued to January 6, 2009

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081423 [Preparation of findings related to the Conditional Use Appeal for 299 Valencia Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.0432CV on property located at 299 Valencia Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to January 6, 2009

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

081230 [Medical Cannabis Dispensary Permits] **Supervisor Daly**

Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081424 **[Appointment, Public Utilities Commission - Juliet Ellis]**

Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

Enacted Number: M08-180

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081308 **[Confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors]**

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending September 11, 2010. (Mayor)

Amended by changing the date from "September 11, 2010" to "April 28, 2010."

Supervisor Daly, seconded by Supervisor Dufty, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of

Directors for a four-year term ending April 28, 2010. (Mayor)

APPROVED AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081444 **[Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]** **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081443 **[Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund]** **Super Maxwe Alioto-**

Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos

Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]

Ordinance amending Sections 1106, 1108, 1108.4,1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with

references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

Continued to December 16, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081451 **[Property Tax Refund Claim Processing]** **Supervisor Peskin**

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

Continued to December 16, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081414 **[Reaffirming and Restating**

Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing Amended and Restated Term Sheet]

Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission. (Port)

Enacted Number: 521-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081447 **[Accept-Expend State Grant - Southeast Community Response Network - $402,457]** **Supervisor Maxwell**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $402,457 through the United States Department of Justice, for a program entitled

"Southeast Community Response Network" for fiscal year July 2006 through June 2010.

Enacted Number: 518-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081448 **[Juvenile Probation and Camp Funding Grant Program]** **Supervisor Maxwell**

Resolution authorizing the Juvenile Probation Department to participate in the State of California's Juvenile Probation and Camp Funding Program, to receive funds for direct services to eligible children and their families.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080520 **[Below Market Rate Condominium Conversion Program]** **Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units

under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations and the provisions relating to Original Subdividers who rent their Units; providing for alternatives for compliance with the ordinance; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA). (Supervisor Sandoval dissented in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to rescind the previous vote. Motion to rescind the previous vote passed without objection.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval

081100 **[Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels fronting Mission Street, from Silver Avenue to the Daly City border]** **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081513 **[Limited Equity Housing Cooperative Conversions]** **Supervisors Peskin, Mirkarimi**

Ordinance amending the Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.22, to create a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Richard McRee; expressed concern with issues relating to his patent for the design of Sigmund Stern Grove
Robert Louie Smith; speaker; expressed concern with health issues in San Francisco
Walter; shared with the Board certain memorabilia
Mike Catrellis; expressed concern with issues relating to the passage of Prop 8

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081528 [Mortgage Credit Certificates] **Supervisor Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Enacted Number: 519-08
ADOPTED

081529 **[Accept-Expend Federal Pass Through Grant - Asian Women's Shelter - $10,000]** **Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $10,000 from the Asian Women's Shelter, allocated through the Office on Violence Against Women, Office of Justice Programs (OVW), to assist Asian and Pacific Islander (API) victims of domestic violence for fiscal year 2008-2010.

Enacted Number: 513-08
ADOPTED

081277 **[Final Map - 420-428 Vallejo Street]**

Motion approving Final Map 4304, a 5 Unit Residential Condominium Project, located at 420 - 428 Vallejo Street being a subdivision of Lot 013 in Assessors Block No. 0133 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order 177,926; District 3.)

Enacted Number: M08-178
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081354 **[Declaration of Election Results - November 4, 2008]** **Supervisor Peskin**

Resolution declaring the results of the November 4, 2008 General Election.

Enacted Number: 503-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Reference

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

081411 **[Opposing location of proposed Presidio Fine Arts Museum]** **Supervisor Peskin**

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be

TABLED to the Land Use and Economic Development Committee. The motion FAILED by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Elsbernd, Maxwell, Sandoval

Noes: 6 - Campos, Daly, Dufty, McGoldrick, Mirkarimi, Peskin

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to refer this matter to Committee.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081526 **[Requesting California establish a Do Not Mail Registry]** **Supervisors Mirkarimi, Dufty, Campos**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

Continued to December 16, 2008.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081556 **[Honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community]** **Supervisor Dufty**

Resolution honoring Carl Friedman for over thirty years of leadership of the San Francisco Department

of Animal Care and Control and Animal Welfare community.

Enacted Number: 520-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Ordinances

081540 [Ordinance amending the Fiscal Year 2008-2009 Annual Appropriation and Annual Salary Ordinance to reflect the Mayor's Mid-Year Adjustment Plan and reducing other selected Department appropriations] — **Supervisor Peskin**

Ordinance deappropriating $8,515,891 of General Fund, including $81,522 in the Board of Supervisors, $2,366,392 in Economic and Workforce Development, $52,468 in the Department of Emergency Management, $3,948,326 in Fire Department, $1,422,554 in the City Administrator's Office, $83,955 in the Mayor's Office, $560,674 in the Police Department and $57,957 in Recreation and Park related to the project budget deficit in Fiscal

Year 2008-2009.
12/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081555 **[Public Employment - Deletion of Positions]** **Supervisor Peskin**

Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the deletion of 98 positions (26.27 FTE) in various Classes and Departments.
(FiscalImpact.)
12/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081560 **[India Basin Industrial Park Zoning Map Amendment]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by amending Sectional Map Sheets ZN08, ZN10, SU08 and SU10 to change the use classification of certain parcels in and around the India Basin Industrial Park Redevelopment Project Area from M-1 (Light Industrial) and M-2 (Heavy Industrial) Districts to PDR-1-B (Light Industrial, Buffer) and PDR-2 (Production, Distribution, and Repair) Districts and to incorporate all of the subject parcels into the India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

081561 **[India Basin Industrial Park, Planning Code Text Amendment]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.42 to create a new India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

081563 **[Public Employment - Addition of Positions]** **Supervisor Mirkarimi**

Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (.50 FTE) 9775 Senior Community Development Specialist II and one position (.50 FTE) 9770 Community Development Assistant to the Board of Supervisors (BOS). (Fiscal Impact.)

12/9/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081564 **[Administrative Code - Amendment to Large Tourist** **Supervisc Peskin**

Hotel Conversion Ordinance]

Ordinance amending Administrative Code Chapter 41F to clarify the scope and implementation of the Large Tourist Hotel Conversion Ordinance, including minor edits to the definition of "Convert" and additional guidance regarding the conversion process for Large Tourist Hotel Rooms, and making required findings.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081565 **[Adopting a new Planning Code Article 10 and Article 11 and adding new Planning Code Section 176(f)]** **Supervisors Peskin, Daly**

Ordinance rescinding Planning Code Article 10 in its entirety and adopting a new Article 10 to implement the provisions of new San Francisco Charter Section 4.135.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

081577 **[Zoning Map Amendments for 1-25 Division Street and 45 Rhode Island]**

Ordinance amending the San Francisco Zoning Map by amending the use designation for Assessor's Block 3912, Lots 001 and 003, known as 1-25 Division Street and 45 Rhode Island Street, respectively, from PDR-1-D (Production Distribution and Repair -

Design) to UMU (Urban Mixed Use); and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

081556 **[Honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community]** **Supervisor Dufty**

Resolution honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community.
12/9/08, ADOPTED.

081559 **[Accept-Expend Federal grant funds - Department of Public Works - $1,475,675]** **Supervisor Elsbernd**

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.
12/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081562 **[Establishing City policy supporting Smart Grid technology and protocols for City electric systems]** **Supervisor Peskin**

Resolution establishing City policy supporting Smart Grid technology and protocols for City electric systems and urging the Public Utilities Commission to prepare a study to identify the most effective and economic means to implement smart grid technology.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081567 **[Commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco]** **Supervisor Dufty**

Resolution commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco for the past 20 years.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081568 **[Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market]** **Supervisor Dufty**

Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081569 **[Honoring Rodel Rodis for sixteen years of service to City College of San Francisco]** **Supervisor Dufty**

Resolution honoring Rodel Rodis for sixteen years of service to City College of San Francisco.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081570 **[Honoring Scott Hall and the Gay American Heroes]** **Supervisors Dufty, Campos**

Resolution honoring Scott Hall and the Gay American Heroes

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081571 **[Supporting the public process in development of the master plan for Ocean Beach]** **Supervisors Chu, McGoldrick, Elsbernd**

Resolution supporting the public process of the development of the master plan for Ocean Beach.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081572 **[Commemorating 65th anniversary of repeal of 1882 Chinese Exclusion Act]** **Supervisors Chu, Mirkarimi, Maxwell, Campos**

Resolution commemorating December 17, 2008 as the 65th Anniversary of the repeal of the 1882 Chinese Exclusion Act, which was the first significant restriction on free immigration in United States history.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081502 **[Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project]** **Supervisor McGoldrick**

Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/9/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

12/9/08, ASSIGNED to Land Use and Economic Development Committee.

081517 [Resolution to Establish the Tourism Improvement District] Mayor, Supervisors Peskin, Maxwell, Dufty

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

11/25/08, RECEIVED AND ASSIGNED to Board of Supervisors. Scheduled for December 16, 2008 at 3:00 p.m. 12/9/08 - Referred to Planning for determination of environmental impact.

12/9/08, ASSIGNED to Board of Supervisors.

12/9/08, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing same title.

081411 [Opposing location of proposed Presidio Fine Arts Museum] Supervisor Peskin

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco

Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

11/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/18/08, CONTINUED. Continued to November 25, 2008

11/25/08, ADOPTED. Superivsor Alioto-Pier requested that this matter be severed so that it might be considered separately.

11/25/08, PREVIOUS VOTE RESCINDED.

11/25/08, CONTINUED. Continued to December 9, 2008.

12/9/08, TABLED to Land Use and Economic Development Committee.

12/9/08, REFERRED to Land Use and Economic Development Committee. Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to refer this matter to Committee.

Motions

081541 [Appointment, Historical Preservation Commission - Karl Hasz]

Motion approving the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year

term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081542. Transmittal date - December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081542 [Appointment, Historical Preservation Commission - Karl Hasz]

Motion rejecting the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081541. Transmittal date

- December 4, 2008.)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081543 [Appointment, Historical Preservation Commission - Sue Lee]

Motion approving the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined. (Clerk of the Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081544. Transmittal date - December 4, 2008.)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081544 [Appointment, Historical Preservation Commission - Sue Lee]

Motion rejecting the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081543. Transmittal date - December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081545 [Appointment, Historical Preservation Commission - Jonathan Pearlman]

Motion approving the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081546. Transmittal date - December 4, 2008.

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081546 [Appointment, Historical Preservation Commission - Jonathan Pearlman]

Motion rejecting the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081545. Transmittal date - December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081547 [Appointment, Historical Preservation Commission - Allison Williams]

Motion approving the Mayor's nomination for appointment of Allison Williams to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the

Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081548. Transmittal date - December 4, 2008.)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081548 [Appointment, Historical Preservation Commission - Allison Williams]

Motion rejecting the Mayor's nomination for appointment of Allison Williams to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081547. Transmittal date - December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081549 [Appointment, Historical Preservation Commission - Charles Chase]

Motion approving the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public

hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081550. Transmittal date - December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081550 [Appointment, Historical Preservation Commission - Charles Chase]

Motion rejecting the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081549. Transmittal date - December 4, 2008.)

12/4/07, RECEIVED AND ASSIGNED to Rules Committee.

081551 **[Appointment, Historical Preservation Commission - Henry Karnilowicz]**

Motion approving the Mayor's nomination for appointment of Henry Karnilowicz to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081552 **[Appointment, Historical Preservation Commission - Henry Karnilowicz]**

Motion rejecting the Mayor's nomination for appointment of Henry Karnilowicz to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081553 **[Appointment, Historical Preservation Commission - Susan Sun]**

Motion approving the Mayor's nomination for appointment of Susan Sun to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081554 **[Appointment, Historical Preservation Commission - Susan Sun]**

Motion rejecting the Mayor's nomination for appointment of Susan Sun to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081573 **[Approving an application form for Boards, Commissions and Committees and specifying a supplemental form for applicants to Reentry Council seats designated for former inmates]** **Supervisor Mirkarimi**

Motion approving use of designated application form for applicants to Boards, Commissions and Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081574 **[Amending Board Rule 3.8 - Committee Report]** **Supervisor Elsbernd**

Motion amending Rule 3.8 of the Board of Supervisors Rules of Order to allow a single Supervisor to continue a matter referred as a committee report under certain circumstances; motion suspending Rule 4.38 regarding committee referral for said motion.

12/9/08, RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

081557 **[Energy Conservation Program(s) & SF Go Solar by the San Francisco PUC Update]**

Hearing to consider an update on the status of Energy Conservation Program(s) & SF Go Solar by the San Francisco, PUC, including any recommendations from both the Solar Task Force and PUC staff on program changes or possible changes.

12/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081558 **[Joint Hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission]** **Supervisor Mirkarimi**

Joint Hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission to officially receive and discuss Police Executive Research Forum's findings and final report of their Organizational Review of the San Francisco Police Department.

12/9/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081566 [Future Plans for the Aquatic Park and Fisherman's Wharf areas] **Supervisor Alioto-Pier**

Hearing on future plans for the Aquatic Park and Fisherman's Wharf areas. The hearing will consider the proposed plans impacting the area including: 1) Van Ness BART, 2) The Fisherman's Wharf Community Benefit District, 3) Aquatic Park area, including the Maritime Museum, and 4) The bike plan.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081575 [Board of Supervisors Seniority]

Lottery to determine the seniority of the new members of the Board of Supervisors to be scheduled at the Tuesday, December 16, 2009 Board meeting. (Clerk of the Board)

12/9/08, ASSIGNED to Board of Supervisors. Scheduled for consideration on December 16, 2008.

PROPOSED ORDINANCES

081535 [Waiver of Administrative Code Sections 6.40 and 6.41 to allow award of agreement for program construction management services without a competitive procurement process]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Sections 6.40 and 6.41 to allow award of Agreement No. CS-963, Program Construction Management Services, without a competitive procurement process. (Public Utilities Commission) (Fiscal Impact.)

11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

081484 [WSIP Agreement No. CS-917, San Joaquin Regional Construction Management Services - Not to Exceed $28,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute the Water System Improvement Program-funded Professional Service Agreement No.

CS-917, San Joaquin Regional Construction Management Services, with PMA Consultants LLC to provide Construction Management Services for the San Joaquin Regional Projects, for an amount not to exceed $28,000,000, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) (Fiscal Impact.)

11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081485 [WSIP Agreement No. CS-765, Parsons Water and Infrastructure]

Resolution approving Amendment No. 2 to Agreement No. CS-765, San Francisco Water System Improvement Program - Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure. (Public Utilities Commission)

11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081536 [WSIP Agreement No. CS-963, Program Construction Management Services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the Water System Improvement Program-funded Agreement No. CS-963, Program Construction Management Services, with AECOM WATER, for an amount not to exceed $26,000,000 with a term of up

to seven (7) years, pursuant to San Francisco Charter Section 9.118, if the Board of Supervisors has approved an ordinance waiving procurement requirements of San Francisco Administrative Code Sections 6.40 and 6.41, and that ordinance is effective. (Public Utilities Commission)
(Fiscal Impact.)
11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

Requests Granted
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Departn
of Public Works report on the status of removing g
from the following locations:
Garbage Cans
Northwest corner of Grove and Webster
Northwest corner of Haight and Fillmore
Mailboxes
Cole and Fulton
Linden and Oak
Northwest corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Departn
of Public Works report on the status of removing g
at the following private property locations:
1226 9th Avenue
509 Oak

607 Irving, back of building on 6th Avenue
600 Stanyan
688 Stanyan
668 Stanyan
650 Stanyan
1432 Haight
1501 Haight
546 Haight
542 Haight
588 Haight
295 Buchanan
300 Buchanan
602 Haight
923 Divisadero
857 Divisadero
808 Divisadero
876 Haight
99 Webster
1667 Haight
1684 Haight
1648 Haight
1668 Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public report on the status of removing graffiti from utility poles at the following locations:
Wood:
Southeast corner of Steiner and Herman
429 Oak
Southwest corner of Oak and Laguna
Metal Pole:

Northwest corner of Fillmore and Haight, near bus shelter
Southwest corner of Clayton and Haight
Northeast corner of Page and Scott
Divisadero near O'Farrell
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Southwest corner of 9th Avenue and Lincoln
Near 1215 Fell
Northeast corner of Masonic and Haight
Northeast corner of Gough and Grove
Bus Shelters
Southeast corner of 5th Avenue and Oak
Northeast corner of Oak and Stanyan
All bus shelters on Haight and Fillmore need power washing and graffiti
Southwest corner of Haight and Buchanan
Southwest corner of Oak and Fillmore
Emergency Boxes
Northeast corner of Divisadero and Fell
Southwest corner of Ashbury and Haight
Fire Hydrant
Northeast corner of Central and Haight

In Memoriams

In Memoriams
Jurline Lawson - Supervisor Elsbernd
John Francis Cahill- Supervisors Elsbernd and Duffy

Judge Herbert M. Donaldson- Supervisor Dufty
Anthony (Tony) Christopher Guilfoyle- Supervisor Dufty
Leon Curtis Stanford - Supervisor Mirkarimi
Shu Fan Yang - Supervisor Peskin
John Lee Woo - Supervisor Peskin
Jessie Williams - Supervisor Maxwell

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:46 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on January 27, 2009.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices,

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翻譯: 必須在會議前最少四十八小時提出要求
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Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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December 16, 2008

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MEETING MINUTES

Tuesday, December 16, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, David Campos, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll all Supervisors were noted present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of November 4, 2008 and November 18, 2008. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081283 **[Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]** **Supervisor Mirkarimi**

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Enacted Number: 316-08

FINALLY PASSED

081499 **[Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $29,724,000]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

Enacted Number: 295-08

FINALLY PASSED

081500 **[Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $1,374,422]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of $1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

Enacted Number: 296-08
FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

081443 [Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund] **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Bonding and

Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.
(Fiscal Impact.)

Enacted Number: 314-08
FINALLY PASSED

081444 **[Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]** **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.
(Fiscal Impact.)

Enacted Number: 315-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

081009 **[Prohibiting smoking in taxicabs and motor vehicles for hire and free distribution of tobacco products and accessories in places open to the public]** **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco products and accessories in places open to the public.

Enacted Number: 312-08
FINALLY PASSED

081250 **[Massage practitioner requirements]** **Supervisor Dufty**

Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at least 100 hours of massage instruction.

Enacted Number: 317-08
FINALLY PASSED

081379 **[Accept gift to the Fire Department - $15,938]**

Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of mask fit equipment and non-permeable emergency medical bags valued at $15,938. (Fire Department)

Enacted Number: 523-08
ADOPTED

081441 **[Grant to support Cesar Chavez Street streetscape improvements - $711,296]** **Supervisors Dufty, Campos**

Resolution authorizing the San Francisco Planning Department to accept and expend $711,296 from the California Department of Housing and Community Development for pedestrian safety, traffic calming, and stormwater improvements along Cesar Chavez Street.

Supervisor Campos requested to be added as a co-sponsor.

Enacted Number: 539-08
ADOPTED

Recommendation of the Land Use and Economic Development Committee

081100 **[Zoning - Providing for a Five** **Supervis**

Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels fronting Mission Street, from Silver Avenue to the Daly City border] **Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 321-08
FINALLY PASSED

Recommendations of the Rules Committee

081477 **[Settlement of Lawsuit - Laurent Katgely, et al. v. CCSF, et al. (C. Spencer) - $67,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Chez Spencer, a partnership,

against the City and County of San Francisco for $67,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436942; entitled Laurent Katgely, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - $500,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for $500,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - $45,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for $45,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

081480 [Settlement of Claim - SFD Union Square, LLC - $40,000]

Resolution approving the settlement of unlitigated claim of SFD Union Square, LLC dba Sir Francis Drake Hotel against San Francisco for $40,000; claim was filed on August 25, 2008. (City Attorney)

Enacted Number: 534-08
ADOPTED

081501 [Settlement of Administrative Civil Liability Complaint - $64,000] **Supervisor Peskin**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $64,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed $32,000, plus payment of a $32,000 penalty.

Enacted Number: 505-08
ADOPTED

081112 [Appointment, Biodiesel Access Task Force - Shannon Devine]

Motion appointing Shannon Devine, term ending December 31, 2009, to the Biodiesel Access Task

Force.

Enacted Number: M08-184
APPROVED

081427 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard and Adele Fasick]

Motion appointing June Fraps, Betty Packard and Adele Fasick, terms ending November 30, 2010, to the Ballot Simpilification Committee.

Enacted Number: M08-183
APPROVED

081431 [Appointments, Urban Forestry Council - John Malcolm Hillan and Jocelyn Cohen]

Motion appointing John Malcolm Hillan and Jocelyn Cohen, terms ending November 18, 2010, to the Urban Forestry Council.

Enacted Number: M08-182
APPROVED

081483 [Appointment, Immigrant Rights Commission - Ana Perez]

Motion appointing Ana Perez, term ending June 6, 2009, to the Immigrant Rights Commission,

residency requirement waived.

Enacted Number: M08-194
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to rescind the vote on File No. 081426.
Motion to rescind the previous vote on File No. 081426 passed without objection.

081426 [Appointments, Market and Octavia Community Advisory Committee - Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Jason Henderson]

Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Katherine Hodge, for two-year terms, to the Market and Octavia Community Advisory Committee.

Amended by replacing the appointment of "Katherine Hodge" with the appointment of "Jason Henderson". New Title.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Jason Henderson, for two-year terms, to the Market and Octavia Community Advisory Committee.

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

080658 **[General advertising on City buildings and street furniture]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 5, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 4, 2009.

NOT OVERTURN MAYORAL VETO by the following vote:

Ayes: 7 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Recommendations of the Budget and Finance Committee

081449 **[Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]** **Supervisor McGoldrick**

Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.

Enacted Number: 313-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi

Noes: 3 - Daly, Peskin, Sandoval

081453 **[Appropriating $1,923,629,194 of Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]** **Mayor**

Ordinance appropriating $1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to fund construction and financing costs for the San Francisco Public Utilities Commission (SFPUC) Water

System Improvement Program (WSIP) for Fiscal Year 2008-2009, placing the entire appropriation by project on Controller's reserve subject to SFPUC and Board of Supervisors' discretionary approvals following completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, adopting environmental findings, placing on Budget and Finance Committee reserve any project in excess of $100,000,000 and authorizing the increase of the Water Commercial Paper Program from $250,000,000 to $500,000,000 to facilitate projected WSIP financing needs. (Fiscal Impact.)

Enacted Number: 311-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Campos assumed the Chair so the President could participate in the debate from the floor concerning the following item.

081440	**[De-Appropriating $998,145 of General Fund and $761,021 of Federal Direct Grant Revenue for the Community Justice Center for**	**Supe Daly, McGo Peski**

FY 2008-2009]

Ordinance de-appropriating $998,145 of General Fund in the Mayor's Office of Community Justice and $761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009. (Fiscal Impact.) (Supervisor Elsbernd dissented in committee.)

Supervisor Sandoval was previously excused from voting on this matter.
Supervisor Peskin requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Excused: 1 - Sandoval

Recommendations of the Government Audit and Oversight Committee

081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]

Ordinance amending Sections 1106, 1108, 1108.4,1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Campos, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Dufty

081451 [Property Tax Refund Claim Processing] **Supervisor Peskin**

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Dufty

Recommendations of the Land Use and

Economic Development Committee

080520 **[Below Market Rate Condominium Conversion Program]** **Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations and the provisions relating to Original Subdividers who rent their Units; providing for alternatives for compliance with the ordinance; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA). (Supervisor Sandoval dissented in Committee.)

Enacted Number: 320-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Daly, Sandoval

081513 **[Limited Equity Housing Cooperative Conversions]** **Supervisors Peskin, Mirkarimi**

Ordinance amending the Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.22, to create a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

Enacted Number: 319-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Board

081589 [Eastern Neighborhoods Zoning Map - Height District for Mission Street theater properties]

Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3595, Lot 024 on Mission Street between 19th and 20th Streets and Assessor's Block 3616, Lot 007 on Mission Street between 21st and 22nd Streets to 65-X/85-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

Supervisor Maxwell, seconded by Supervisor

Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 6 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3616, Lot 007 on Mission Street between 21st and 22nd Streets to 50-X/65-B; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units]

Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 19, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 18, 2009.

FINALLY PASSED by the following vote:

Ayes: 7 - Campos, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Recommendation of the Rules Committee

081230 **[Medical Cannabis Dispensary Permits]** **Supervisor Daly**

Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

Enacted Number: 318-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081519 **[Sale of San Francisco General Hospital Bond Anticipation Notes, Series 2009A - Not to Exceed $136,000,000]** **Mayor**

Resolution authorizing and directing the sale of Not to Exceed $136,000,000 General Obligation Bond Anticipation Notes, Series 2009A in anticipation of the issuance of $136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Notes; Providing For the Levy of a Tax To Pay the Interest and, if Applicable, the

Principal Thereon; Authorizing the Execution, Authentication and Registration of Said Notes; Providing For the Appointment of Depositories and Other Agents For Said Notes; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Notes, Whether By Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Notes; Directing the Publication of the Notice of Intention To Sell Notes; Approving the Form and Execution of the Note Purchase Agreement for the Sale of Said Notes; Approving the Form and Execution of the Official Statement Relating to the Sale of Said Notes; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Notes.
(Fiscal Impact.)

Enacted Number: 524-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081520 [San Francisco General Hospital General Obligation Bond Issuance - Not to Exceed $887,400,000] Mayor

Resolution Providing for the Issuance of Not to Exceed $887,400,000 Aggregate Principal Amount of City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008); Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Levy of a Tax to Pay the Principal and Interest Thereof; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing for the Establishment of Accounts Related Thereto; Ratifying Certain Actions Previously Taken; Adopting Findings Under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, Including the Adoption of a Mitigation Monitoring and Reporting Program and a Statement Of Overriding Considerations; Finding that the Proposed Project Is In Conformity With the Priority Policies Of Planning Code Section 101.1(B) and With the General Plan Consistency Requirement Of Charter Section 4.105 and Administrative Code Section 2A.53; and Granting General Authority to City Officials to Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds. (Fiscal Impact.)

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081521 **[Bond Sale of San Francisco General Hospital Improvement Bonds - Not To Exceed $136,000,000]** **Mayor**

Resolution Authorizing and Directing the Sale of Not To Exceed $136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing For the Appointment of Depositories and Other Agents For Said Bonds; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Bonds, Whether by Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Bonds; Directing the Publication of the Notice of Intention To Sell Bonds; Approving the Form and Execution of the Bond Purchase Agreement Relating Thereto; Approving the Form and Execution of the Official Statement Relating To the Sale of Said Bonds; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds.

(Fiscal Impact.)

Enacted Number: 527-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081522 **[Appropriating $136,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for Fiscal Year 2008-2009]** **Mayor**

Ordinance appropriating $136,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for Fiscal Year 2008-2009.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081523 **[General Obligation Bond Short-Term Indebtedness]** **Mayor**

Ordinance amending the San Francisco Administrative Code by adding Article 43.11, Sections 43.11.1 through 43.11.5, to authorize the issuance of short-term indebtedness in anticipation of the issuance of general obligation bonds authorized by the voters.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081507 **[Accept-Expend Federal Grant and amend Annual Salary Ordinance, FY 2008-2009 $1,024,467.00]** **Supervisor Elsbernd**

Ordinance authorizing the Police Department to retroactively accept and expend grant funding in the amount of $1,024,467.00 from the National Institute of Justice for a program entitled "NIJ's 2008 Forensic DNA Unit Efficiency Improvement Program," and amending the Annual Salary Ordinance to create grant-funded positions.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081417 [Purchase of Real Property located at 5027-5033 Third Street, San Francisco for the Public Library]

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Doug Wong and Pearl Yee Wong, husband and wife, as joint tenants (the "Seller"), for the purchase of real property and improvements located at 5027 - 5033 Third Street, San Francisco, to expand the Bayview/ Anna E Waden Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department)
(Fiscal Impact.)

Enacted 540-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081484 **[WSIP Agreement No. CS-917, San Joaquin Regional Construction Management Services - Not to Exceed $28,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute the Water System Improvement Program-funded Professional Service Agreement No. CS-917, San Joaquin Regional Construction Management Services, with PMA Consultants LLC to provide Construction Management Services for the San Joaquin Regional Projects, for an amount not to exceed $28,000,000, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) (Fiscal Impact.)

Enacted Number: 547-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081518 **[Lease Financing For Library Projects]** **Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco Finance Corporation lease revenue bonds and authorizing the preparation, execution and delivery of a final official statement; ratifying the

approvals and terms and conditions of a previous ordinance; and related matters.

Enacted 538-08
Number:
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081524 **[Accept-Expend Federal Regional Catastrophic Preparedness Grants - $10,000,000]** **Mayor**

Resolution authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program awards in the amount of $10,000,000 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for regional catastrophic preparedness for the period September 1, 2008 through August 31, 2010.

Enacted 506-08
Number:
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081415 **[Approval of Port Lease for TCHO Ventures, Inc. at Pier 17]**

Resolution approving Port Commission Lease No. L-14584 with TCHO Ventures, Inc. ("TCHO") for a five (5) year term for certain real property located at Pier 17 in the City and County of San Francisco. (Port)

Enacted Number: 532-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

081124 **[Prohibiting advertisements for alcoholic beverages on City property]** **Supervisors Mirkarimi, McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 4.20, to prohibit advertisements for alcoholic beverages on City property.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

081362 **[Prevailing wages for (1) workers on public works and improvement projects, (2) workers in theatrical services; (3) workers performing moving services; and (4) workers hauling solid waste.]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers engaged in theatrical or technical services for shows on property owned by the City; (3) workers performing moving services under City contracts at facilities owned or leased by the City; and (4) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

Enacted Number: 536-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081514 **[Appropriating $45,000,000 of Certificates of Participation Revenue for the Moscone Center Improvement Project in the Office** **Supervi Peskin**

of the City Administrator for Fiscal Year 2008-2009]

Ordinance appropriating $45,000,000 of San Francisco Certificates of Participation (COPs) Series 2009B to fund the Moscone Center Improvement Project in the General Services Agency - Office of the City Administrator for Fiscal Year 2008-2009 and placing these funds on Controller's Reserve pending issuance of the COPs.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

081515 **[Lease Financing For Improvements to Moscone Convention Center]** **Supervisor Peskin**

Resolution authorizing the execution, delivery and sale of Certificates of Participation (the "Certificates") evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Lease Agreement, for the purpose of financing various capital projects at Moscone Convention Center; approving the form of a Trust Agreement by and between the City and County of San Francisco (the "City") and a corporate trustee to be selected by the City (the "Trustee"), including without limitation certain indemnification obligations of the City contained therein; authorizing

the selection of the Trustee; approving the form of a Facilities Lease by and between the City and the Trustee relating to certain real property described herein; approving the form of the Lease Agreement by and between the Trustee and the City relating to said real property; authorizing the payment of costs of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the Certificates, the Trust Agreement, the Facilities Lease and the Lease Agreement; authorizing modifications to documents; and ratifying previous actions taken in connection therewith. (Fiscal Impact.)

Enacted Number: 530-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Recommendations of the Land Use and Economic Development Committee

080872 **[Planning - Union Street Neighborhood Commercial District - Full-Service Restaurants]** **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy

specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081125 [Promoting and Sustaining Music and Culture in San Francisco] **Supervisors Mirkarimi, Maxwell**

Ordinance adding Chapter 90A to the San Francisco Administrative Code to establish a music and culture sustainability policy for City government; provide for development by the Entertainment Commission of a proposal for an on-line permitting system for entertainment-related permits, licenses, and determinations; provide for review by the Entertainment Commission of new criteria for entertainment related permits, licenses, and determinations; establish a process coordinated by the Entertainment Commission for reviewing and possibly revising City Codes to conform to and implement the music and culture sustainability policy; urge the Planning Commission to consider amending the General Plan to conform to and implement that policy; and provide for an annual hearing by the Entertainment Commission to review and make recommendations relating to

implementation of that policy.

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081372 [Mission Bay North-Park Parcels NP3, NP4 and NP5 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1, lying next to the Mission Creek Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities as public open space and for park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,882; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081280 **[Accept and Expend State Coastal Commission Grant Funds - $185,000]** **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Coastal Commission Grant in the amount of $185,000.

Enacted Number: 541-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081284 **[Intent to change the name of Avery Street between Post Street and Geary Boulevard to Boswell Way]** **Supervisor Mirkarimi**

Resolution declaring the Board of Supervisors' intention to change the name of Avery Street between Geary Boulevard and Post Street to Boswell Way in recognition of Reverend Hamilton T. Boswell, the longtime pastor of the Jones Memorial United Methodist Church and advocate for San Francisco's African American community.

Enacted Number: 542-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081327 **[Preserving the Francisco Reservoir as public recreation and open space]** **Supervisor Alioto-Pier**

Resolution declaring the policy of the Board of Supervisors to maintain the Francisco Reservoir as open space and urging the San Francisco Public Utilities Commission, in light of the General Plan designating the property as such, to preserve the property for public recreation and open space.

Enacted Number: 502-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Chu, Elsbernd

Recommendations of the Rules Committee

081474 **[Appointment, Assessment Appeals Board No. 2 - Joseph Tham]**

Motion appointing Joseph Tham, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

Enacted Number: M08-192

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081475 **[Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]**

Motion appointing Diane Robinson and Richard Lee, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

Enacted Number: M08-191

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Supervisor Dufty was noted absent at 5:40 p.m.

081516 **[Hearing - Tourism Improvement**

District]

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

The President inquired as to whether or any m of the public wished to address the Board.

Richard Swig; support of the Tourism Improve District

Joe Delesandro; support of the Tourism Improvement District

Ernestine Weiss; support of the Tourism Improvement District

Pat Gallagher; support of the Tourism Improv District

Rodney Fong; support of the Tourism Improve District

Michael Dunn; support of the Tourism Improv District

Mike Hardeman; support of the Tourism Improvement District

Heather Hale; support of the Tourism Improve District

Tony Norman; support of the Tourism Improv District

Simon Sin; support of the Tourism Improveme District

Rodney Rodriquez; Tourism Improvement District
Jerry Simmons; Tourism Improvement District
Male speaker; Tourism Improvement District
General Manager Grand Hyatt Union Square; Tourism Improvement District
Patricia Breslin; Tourism Improvement District
The President declared the public hearing closed.
Heard at a public hearing.

FILED.

Supervisor Elsbernd Excused From Voting

Supervisor Maxwell, seconded by Supervisor Chu, moved to excuse Supervisor Elsbernd, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Elsbernd

081517 **[Resolution to Establish the Tourism Improvement District]** **Mayor, Supervisors Peskin, Maxwell, Dufty**

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that

district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Tourism Improvement District.
Voting For - 29.02%
Voting Against - 23.56%

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Campos, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Elsbernd

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to

grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty introduced, welcomed, and presented a Certificate of Honor to Dr. Sang Mook Lee.
Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Ms. Robin Krop.
Supervisor Peskin introduced, welcomed and presented a Certificate of the Honor to the Honorable Judge Quentin L. Kopp and former Member of the Board of Supervisors in recognition of his efforts in the passage of the Prop 1A a high speed rail for the State of California.
Supervisors Peskin, Dufty, Daly, McGoldrick, Elsbernd, Mirkarimi, Chu, Campos and Maxwell recognized Supervisor Sandoval for his past 8 years of service as a Member of the Board of Supervisors as he leaves to become a Superior Court Judge in San Francisco.

SPECIAL ORDER 4:00 P.M.

081432 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2655 Scott Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated

September 16, 2008, that a project at 2655 Scott Street (Building Permit Application No. 2007.04.18.9061, Case No. 2008.0492D) is exempt from environmental review under Categorical Exemption [State CEQA Guidelines Section 15301 (Class One - Minor Alteration of Existing Facility)]. The proposal would add a vertical addition (partial 4th floor) and fire escapes to a single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 0960, Lot 0010). (Appellants: Stephen M. Williams on behalf of Thomas and Annabel Yasuda) (Filed November 10, 2008; companion to Files 081433, 081434, 081435; District 2.)

The President inquired as to whether any member of the public wished to address the Board.
Pam Ellington; support of the appellant
Female speaker; support of the appellant
Nannie Turrell and other staff of the Planning Department reviewed with the Board the Planning Department's recommendations.
James Rueben; Attorney for the project sponsor
Lewis Butler; support of the project sponsor
Vincent Marsh and Stephen Williams - Rebuttal Period for the Appellant
The President declared the public hearing closed.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in

court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081433 [Affirming the categorical exemption issued for the 2655 Scott Street project]

Motion affirming the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081434 [Disapproving the categorical exemption issued for the 2655 Scott Street project]

Motion disapproving the determination by the Planning Department that the 2655 Scott Street

project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier requested that this matter be referred back to the Planning Department for further review.

Enacted Number: M08-190

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081435 [Preparation of findings related to the 2655 Scott Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2655 Scott Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M08-189

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

081486 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1864-1868 Green Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2008, Case No. 2007.0591E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposal would construct a three-story rear yard addition to an existing three-story over basement three-unit residential structure and install a garage in the existing basement, which would require raising the building by 20 inches at property (Assessor's Block 0543, Lot 015) located in a RH-3 (Residential House District, Three-Family) and a 40-X Height and Bulk District. (Appellant: Stephen M. Williams on behalf of Ben and Susan Lee)
(Filed 11/17/08; Companion measure to 081487, 081488, 081489; District 2.)

The President inquired as to whether any member of the public wished to address the Board.
President informed the Board Members that the appellant had withdrawn the appeal.
The President declared the public hearing closed.
Heard at a public hearing.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081487 [Affirming the categorical exemption issued for the 1864-1868 Green Street project]

Motion affirming the determination by the Planning Department that the 1864-1868 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081488 [Disapproving the categorical exemption issued for the

1864-1868 Green Street project]

Motion disapproving the determination by the Planning Department that the 1864-1868 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081489 [Preparation of findings related to the 1864-1868 Green Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1864-1868 Green Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

081530 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2626 Filbert Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated August 26, 2008, that a project at 2626 Filbert Street (Case No. 2007.1478E), is exempt from environmental review under Categorical Exemption, Classes 1 and 3 [State CEQA Guidelines Sections 15301(1)(1) and 15303(a)]. The proposal would demolish an existing building and construct a new three-story-over-basement single-family residence with two off-street parking spaces located at the ground floor in an RH-1 (Residential House, One-Family) District, and a 40-X Height and Bulk District (Assessor's Block 0943, Lot 003B). (Appellants: Brooke Sampson and Lori Brooke on behalf of the Cow Hollow Association, Inc.) (Filed November 21, 2008; companion to Files 081531, 081532, 081533; District 2.)

The President inquired as to whether any men the public wished to address the Board. Paige Sortley, Attorney for the applicant Female speaker; support of the appellant Terry Doherty; support of the appellant Richard McRee; spoke in favor of green buildir Robert Shoestein; support of the appellant Michael Jacinto and other staff of the Planning Department reviewed with the Board the Plani Department's recommendation.

Andrew Junius, Attorney for the project sponsor
Christopher Plank; Architect for the project sponsor
Male speaker; support of the project sponsor
Michael Perry; support of the project sponsor
Leticia Kim; support of the project sponsor
Male speaker; support of the project sponsor
Alexander Lloyd; support of the project sponsor
Paige Sortley, Attorney for the appellant - Rebuttal Period
The President declared the public hearing closed.
Heard at a public hearing.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081531 [Affirming the categorical exemption issued for the 2626 Filbert Street project]

Motion affirming the determination by the Planning Department that the 2626 Filbert Street project is

categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

081532 [Disapproving the categorical exemption issued for the 2626 Filbert Street project]

Motion disapproving the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier requested that this matter be referred back to the Planning Department for review and make an evaluation with the new information providing during the hearing.

Enacted Number: M08-188

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

081533 **[Preparation of findings related to the 2626 Filbert Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2626 Filbert Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M08-187

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

COMMITTEE REPORTS

081503 **[Approval of Fifth Amendment to the Management Agreement for Moscone Convention Center]** **Supervisors Chu, Peskin, Dufty**

Resolution approving and authorizing the City Administrator to enter into a Fifth Amendment to the Management Agreement for Moscone Convention Center.

Enacted Number: 529-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Campos, Mirkarimi

081576 **[Prevailing wages for (1) workers doing janitorial services and (2) workers in public off-street parking lots, garages, or auto storage facilities.]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for janitorial services; (2) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

Enacted Number: 535-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

081452 **["Know your rights" brochure for towing]** **Supervisor Peskin**

Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" brochure and setting administrative penalties.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081564 **[Administrative Code - Amendment to Large Tourist Hotel Conversion Ordinance]** **Supervisor Peskin**

Ordinance amending Administrative Code Chapter 41F to clarify the scope and implementation of the Large Tourist Hotel Conversion Ordinance, including minor edits to the definition of "Convert" and additional guidance regarding the conversion process for Large Tourist Hotel Rooms, and making required findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081398 **[Agreement to modify an existing Municipal Railway Easement for the J-Church line]** **Supervisor Dufty**

Resolution approving and authorizing agreements for the modification of an existing MUNI easement in exchange for fee interest in a portion of the original easement area and rail transit improvements for the J-Church line at 21st Street and Chattanooga Street; adopting findings that the agreements are exempt from Environmental Review and are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Executive Director/CEO of the San Francisco Municipal Transportation Agency and the Director of Property to execute documents and take certain actions in furtherance of this resolution.

Enacted Number: 531-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081401 **[Street Name Change to Timothy Pflueger Place]** **Supervisor Peskin**

Resolution changing the name of Chelsea Place in the downtown district to "Timothy Pflueger Place," in recognition of Timothy Pflueger's many contributions to the City of San Francisco.

Enacted 533-08
Number:
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081502 **[Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project]** **Supervisor McGoldrick**

Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

Enacted 525-08
Number:
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081562 **[Establishing City policy supporting Smart Grid technology and protocols for City electric systems]** **Supervisor Peskin**

Resolution establishing City policy supporting Smart Grid technology and protocols for City electric systems and urging the Public Utilities Commission to prepare a study to identify the most effective and economic means to implement smart grid technology.

Enacted Number: 537-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

081575 **[Board of Supervisors Seniority]**

Lottery to determine the seniority of the new members of the Board of Supervisors to be scheduled at the Tuesday, December 16, 2009 Board meeting. (Clerk of the Board)

The Clerk of the Board read the names of the Supervisors-elect, excluding Supervisor Camp he was previously appointed by the Mayor anc be first in seniority among the Supervisors ele November 4, 2008.

Each name was placed on a slip of paper and

in an envelope and then placed them into a drum. One by one, the Deputy Clerk withdrew one envelope and the Clerk of the Board read the name.
The following is the order in which the names were to read to determine the seniority order for the purposes of selecting office space, Chamber seat, parking space and compensated positions:
Supervisor-elect Eric Mar
Supervisor-elect John Avalos
Supervisor-elect David Chiu
FILED.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for

display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Ernestine Weiss; expressed concern with issues relating to renaming a park after Sue Bierman
Carol McGruder; expressed an interest in receiving money from the State of California in an effort to fight against tobacco companies
Richard McRee; expressed concern with issues relating to his patent for the Sigmund Stern Grove
Walter; shared with the Board certain SF memorabilia
Ms. Casey; showed support of Item 82 requesting California to establish a do not mail registry
Linda Wells; showed support of Item 82 requesting California to establish a do not mail registry
Dan Nelson; expressed opposition to Item 82 requesting California to establish a do not mail registry
Dee Muddilin; expressed concern with issues relating to Lennar construction company
Male speaker; showed support of Item 82 requesting California to establish a do not mail registry
Male speaker; expressed concern with issues relating to dispatching of cabs
Male speaker; shared with the Board his religious beliefs
Male speaker; expressed opposition to Item 82 requesting California to establish a do not mail registry
Mr. Soo; expressed opposition to Item 82 requesting California to establish a do not mail registry

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081567 **[Commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco]** **Supervisor Dufty**

Resolution commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco for the past 20 years.

Enacted Number: 543-08
ADOPTED

081568 **[Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market]** **Supervisor Dufty**

Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market.

Enacted Number: 544-08
ADOPTED

081570 **[Honoring Scott Hall and the** **Supervis**

Gay American Heroes] **Dufty, Campos**

Resolution honoring Scott Hall and the Gay American Heroes

Enacted Number: 545-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081571 **[Supporting the public process in development of the master plan for Ocean Beach]** **Supervisors Chu, McGoldrick, Elsbernd**

Resolution supporting the public process of the development of the master plan for Ocean Beach.

Enacted Number: 526-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081572 **[Commemorating 65th anniversary of repeal of 1882 Chinese Exclusion Act]** **Supervisors Chu, Mirkarimi, Maxwell, Campos**

Resolution commemorating December 17, 2008 as the 65th Anniversary of the repeal of the 1882 Chinese Exclusion Act, which was the first significant

restriction on free immigration in United States history.

Supervisor Campos requested to be added as a co-sponsor.

Enacted Number: 546-08

ADOPTED

081391 [Final Map - Hudson Avenue (No Situs)]

Motion approving Final Map 5210, a 7 Lot Subdivision Project, located at Hudson Avenue (No Situs) being a subdivision of Lot 203 in Assessors Block No. 4711 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,959; District 10.)

Enacted Number: M08-186

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081573 [Approving an application form for Boards, Commissions and Committees and specifying a supplemental form for applicants to Reentry Council seats designated for former inmates] **Supervisor Mirkarimi**

Motion approving use of designated application form for applicants to Boards, Commissions and

Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.

Enacted Number: M08-185
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Without Committee Reference Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

081569 **[Honoring Rodel Rodis for sixteen years of service to City College of San Francisco]** **Supervisor Dufty**
Resolution honoring Rodel Rodis for sixteen years of service to City College of San Francisco.

REFERRED to the Rules Committee.

Supervisor Mirkarimi requested that this matter be

severed so that it might be considered separately.

081526 **[Requesting California establish a Do Not Mail Registry]** **Supervisors Mirkarimi, Dufty, Campos**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

Supervisor Campos requested to be added as a co-sponsor.

REFERRED to the City Operations and Neighborhood Services Committee by the following vote:

Ayes: 6 - Alioto-Pier, Campos, Chu, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Daly, Elsbernd, Maxwell

Absent: 2 - Dufty, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081596 **[Accept and Expend FY 08 Homeland Security Grant Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - $2,112,026]** **Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM) to retroactively accept and expend a Homeland Security Grant Program grant in the amount of $2,112,026 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security, for disaster planning, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of three grant-funded positions at the Controller's Office, Mayor's Office on Disability, and Animal Care and Control.

12/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081598 **[Public Works Code - Appellate body for minor sidewalk encroachments]** **Supervisor Elsbernd**

Ordinance amending the Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits from the Board of Supervisors to the Board of Permit Appeals.

12/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2009.

081604 **[Amending FY 2008-2009 Annual Salary Ordinance]** **Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of the following four positions: one 5642 Senior Environmental Specialist (0.40 FTE); two 5640

Environmental Specialists (0.40 FTE each); and one 5638 Environmental Assistant (0.40 FTE) at the Department of the Environment.
(Fiscal Impact.)
12/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081600 [Closing Potrero Power Plant, adopting clean energy goals, and updating the Electricity Resource Plan] **Supervisor Maxwell**

Ordinance establishing City policy to take all feasible steps to close the entire Potrero Power Plant as soon as possible and urging the Public Utilities Commission to immediately prepare a plan to close the Potrero Power Plant; and establishing clean energy goals; and urging the Public Utilities Commission to update the Electricity Resource Plan.
12/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

081569 **[Honoring Rodel Rodis for sixteen years of service to City College of San Francisco]** **Supervisor Dufty**

Resolution honoring Rodel Rodis for sixteen years of service to City College of San Francisco.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/16/08, REFERRED to Rules Committee.

081526 **[Requesting California establish a Do Not Mail Registry]** **Supervisors Mirkarimi, Dufty, Campos**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

11/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/9/08, CONTINUED. Continued to December 16, 2008.

12/16/08, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Campos requested to be added as a co-sponsor.

081599 **[Accept and Expend Grant - US Department of Justice Office of Violence Against Women - $499,755]** **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Community Investment (MOCI) to accept and expend a grant in the amount of $499,755 from the

Department of Justice (DOJ), Office of Violence Against Women (OVW), FY2008 Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program.
12/16/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081601 [Accept Local Gift of Services - $430,000] **Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept a gift of services with an estimated value of $430,000 from the Copra Crane Labor Landmark Association, a non-profit organization, for the restoration and preservation of the Port of San Francisco's "Copra Crane," located at Pier 84.
12/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081602 [Transferring streetscape improvements along Fillmore Street from the SFRA to the City] **Supervisor Mirkarimi**

Resolution terminating a Major Street Encroachment Permit and recognizing the termination of three Minor Street Encroachment Permits and Public Work Order No. 172,568, all pertaining to the installation and maintenance of streetscape improvements along portions of Fillmore Street between Post and McAllister Streets and transferring the ongoing maintenance responsibility for the streetscape improvements from the San Francisco

Redevelopment Agency to the City in exchange for 1.8 million dollars.
12/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081603 [Redevelopment Agency Budget] **Mayor, Supervisor Mirkarimi**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-09 to reprogram $3,392,000 of funds budgeted for the Western Addition A2 Plan Area from the Muni Substation line item to the Western Addition A2 Revolving Loan Program line item in the amount of $2,492,000 to the Fillmore Jazz Preservation District Development Revolving Loan Program in the amount $500,000 and to a new Western Addition A2 property management line item in the amount of $400,000.
(Fiscal Impact.)
12/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081606 [Accept-Expend Federal Grant for Oil Spill Response Planning - $30,965] **Supervisor Chu**

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of $30,965 from the California Department of Fish and Game for oil spill response planning, for the period July 1, 2008

through June 30, 2009.
12/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081607 **[Accept and Expend State Grant - Port of San Francisco - $15,000]** **Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $15,000 from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund for removal and demolition of abandoned recreational watercraft on the Port's waterfront.
12/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081613 **[City actions on expiration of Western Addition A-2 Redevelopment Plan]** **Supervisor Mirkarimi**

Resolution urging various City actions upon the expiration of the Western Addition A-2 Redevelopment Plan to insure a smooth transition from the Redevelopment Agency to the City's jurisdiction.
12/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

081593 **[Relocation of the Kirkland Bus Yard from Fisherman's Wharf]** **Supervisor Alioto-Pier**

Hearing will consider the relocation or change in use of the Kirkland Bus Yard at Fisherman's Wharf. Specifically, the hearing will consider the MTA's plan for the yard, timeline for any changes and input of the neighbors.

12/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081594 **[Review the San Francisco Police Department's Traffic Stop Protocols]** **Supervisor Campos**

Hearing to review the San Francisco Police Department's Traffic Stop Protocols.

12/16/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081595 **[Management Positions]** **Supervisor Daly**

Hearing to review all new management positions created and filled since FY 2003, as well as the total number and percentage of managers included in the FY 2008-2009 mid-year lay-offs.

12/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

081608 **[Appointment to San Francisco** **Supervis**

Local Agency Formation Commission - Supervisor David Campos] **Mirkarimi**

Motion appointing Supervisor Campos for the unexpired portion of a four-year term ending February 20, 2011, to the San Francisco Local Agency Formation Commission.

12/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081609 **[Appointment, Historical Preservation Commission - Alan Martinez]**

Motion approving the Mayor's nomination for appointment of Alan Martinez to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081610. Transmittal date - December 4, 2008.)

12/12/08, RECEIVED AND ASSIGNED to Rules Committee.

081610 **[Appointment, Historical Preservation Commission - Alan Martinez]**

Motion rejecting the Mayor's nomination for appointment of Alan Martinez to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081609. Transmittal date - December 4, 2008.)

12/12/08, RECEIVED AND ASSIGNED to Rules Committee.

081611 **[Appointment, Historical Preservation Commission - Tammy Chan]**

Motion approving the Mayor's nomination for appointment of Tammy Chan to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of

Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081612. Transmittal date - December 4, 2008.)

12/12/08, RECEIVED AND ASSIGNED to Rules Committee.

081612 [Appointment, Historical Preservation Commission - Tammy Chan]

Motion rejecting the Mayor's nomination for appointment of Tammy Chan to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081611. Transmittal date - December 4, 2008.)

12/12/08, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

081597 [Rainy Day Reserve] **Supervisor Daly**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 9.113.5, to allow the City to appropriate up to 100 percent of the current balance in the Rainy Day Reserve, not to exceed 20 percent of the projected deficit, in years in which a budgetary deficit of $250 million or more is projected.
12/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/15/2009.

PROPOSED ORDINANCES

081395 [Settlement of Lawsuit - Denise Caicedo - $47,500.00]

Ordinance authorizing settlement of the lawsuit filed by Denise Caicedo against the City and County of San Francisco for $47,500.00; the lawsuit was filed on September 22, 2006 in Superior, Case No. 456-426; entitled Denise Caicedo v. City and County of San Francisco, et al. (City Attorney)
11/24/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

081445 [Public Defender Requisition Request]

Resolution granting the Office of the Public Defender's requisitions # P8023/1103021 and P8024/1103124. (Public Defender)

12/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081468 [Emergency contract to design and install new, compliant emergency electrical generation system at San Francisco General Hospital]

Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent emergency electrical generation system at San Francisco General Hospital. (Public Works Department)

(Fiscal Impact.)

12/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Departr of Public Works report on the status of removing g at the following locations:
Phone Switch Boxes
Northwest corner of O'Farrell and Ellis
Northwest corner of Turk and Webster

Northeast corner of Scott and Waller
Northwest corner of Hayes and Webster
Garbage Cans
Southeast corner of Geary and Webster
Northeast corner of McAllister and Webster
Northwest corner of Buchanan and Haight
Northwest corner of Fulton and Broderick
Fire Hydrant
Southeast corner of Haight and Webster
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
2285 Turk
541 Haight
420 Haight
546 Haight
122 Webster
55 Laguna (UC Campus-Haight Street side)
440 Rose (cross street Webster)
478-482 Haight
99 Webster
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following locations:
Metal Poles
Northeast corner of McAllister and Webster
Northeast corner of Waller and Fillmore
Wood Poles

Southwest corner of Waller and Webster
Southwest corner of Oak and Webster
Bus Shelters
Southwest corner of Sutter and Laguna
Fillmore and Haight, all four corners-graffiti and dirty
Northeast corner of Fillmore and Hermann
Mailboxes
Northwest corner of Octavia and Haight
Southwest corner of Oak and Webster
Emergency Boxes
Northwest corner of Turk and Pierce
Southwest corner of Turk and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough
City Star
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

Al Furberg- Supervisor Dufty
Arthur David Levitt - Supervisor Mirkarimi

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:53 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on January 27, 2009.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do

not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for

the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance
Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are

open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

7915 2

Houcken